

SOUTH



AUSTRALIA

## FINDING OF INQUEST

*An Inquest taken on behalf of our Sovereign Lady the Queen at Port Augusta and Adelaide in the State of South Australia, on the 12<sup>th</sup> day of October, and 28<sup>th</sup> day of November, 2000, before Wayne Cromwell Chivell, a Coroner for the said State, concerning the death of Renee Frodsham.*

*I, the said Coroner, do find that Renee Frodsham, aged 37 years, late of 1 Windsor Street, Whyalla Playford, in the State of South Australia, died at Sinclairs Gap, near Whyalla, on or about the 17<sup>th</sup> day of March, 1980, and the cause of death was blunt head trauma with skull fractures. I find that the circumstances of death were as follows:-*

### **1. Previous Inquest**

1.1 Renee Frodsham disappeared during the afternoon of 17 March 1980. An inquest into her disappearance was conducted by Mr. T. Iuliano SM on 11 September 1989 at the request of her husband, Mr. Dennis Frodsham.

1.2 Mr. Iuliano's findings record the following facts:-

- Mrs. Frodsham failed to collect her two children from school at 3.30p.m. as arranged;
- Mr. Frodsham returned from work at 4.30p.m. There was nobody home, and nothing seemed out of place;
- Mrs. Frodsham's car was found at about 11.00p.m. that evening at the North Eastern end of the Westlands Shopping Centre car park;
- a witness saw Mrs. Frodsham, at about 1.30p.m. that day, alight from her vehicle and enter another vehicle with an unidentified male driver. The vehicle drove off in a Southerly direction along MacDouall Stuart Avenue, Whyalla;
- Mr. Frodsham searched Whyalla that night and found nothing;
- no personal belongings, money or anything else was missing;
- Whyalla Police conducted an extensive investigation, but failed to establish what had occurred;

- on about 19 or 20 March 1980 Mrs. Frodsham's blue vinyl shoulder bag was located in scrub about seven metres from the Western side of the Port Augusta-Whyalla Road, about three to four kilometres North of Whyalla;
- an extensive search of the area near where her bag was found proved fruitless;
- on 24 July 1980, an anonymous caller advised a witness that Mrs. Frodsham's body could be found in the old copper mines South of Whyalla. Whyalla Police received an anonymous letter on 6 August 1980 to similar effect. Extensive searches failed to locate the body;
- there was extensive media publicity concerning Mrs. Frodsham's disappearance. A reward was posted for information;
- there was nothing about Mrs. Frodsham's character or habits which suggested that she might take her own life. In particular, she was devoted to her two children;
- there had been no contact with family or friends since Mrs. Frodsham's disappearance.

1.3 Mr. Iuliano made a finding in the following terms:-

“Having regard to the totality of the evidence, I am prepared to find that the missing person met with foul play and make a presumption of death in this case. I am unable to state the cause or indeed the date of death”.

1.4 Since that time, further information has come to light which enables me to expand upon Mr. Iuliano's findings. Accordingly, I make an order, pursuant to Section 28(1) of the Coroners Act, reopening the inquest.

2. **Information from Jacqueline Abbott**

2.1 Mrs. J.M. Abbott is a real estate agent who, in March 1997, was a partner in a real estate business in Whyalla. One of the other partners was Royston Henry Sturt. During that month, Mrs. Abbott approached the Whyalla Police with information concerning Mrs. Frodsham's death. Despite some initial scepticism, she was eventually put in touch with Major Crime Squad detectives, and eventually with Detective Senior Constable Robert Stapleton. She told them that she had been friendly with Mr. Sturt for several years. During 1996 he was having relationship problems with Natasha Appleby, and had begun confiding in her about these problems. This developed to the stage when Mr. Sturt would ring her more than once a day to discuss his problems. Additionally, he would write her long letters and send messages by facsimile.

2.2 At the end of 1996 it became clear that Mr. Sturt wanted to have a relationship with Mrs. Abbott. Around Christmas that year, he told Mrs. Abbott that he had killed somebody but he refused to elaborate. A number of other cryptic comments followed

in the next few weeks. He began referring to “horrible secrets that I need to tell you” (Exhibit C.4a, p2).

2.3 As time progressed, the extent of his urge to confess to Mrs. Abbott increased. In mid-January he told her that he had “killed someone with my bare hands” and, a little later, indicating his right hand said “I have killed someone with this hand” (Exhibit C.4a, p3).

2.4 The following day, he said to Mrs. Abbott:-

“After all of this you will have my life in your hands”. (Exhibit C.4a, p4).

2.5 Mrs. Abbott began to suspect that Mr. Sturt was referring to Renee Frodsham’s disappearance. He continued to tell her things about having killed someone, adding a small piece of information at each conversation. The conversations suggest that he was desperate to keep Mrs. Abbott’s attention, or have an excuse to be in her company, and so he would allow the information to come out one piece at a time.

2.6 During the ensuing weeks he told her:-

- “It was with this hand. It was with a bar, I hit her with this hand”;
- that it was Renee Frodsham who was killed;
- he said “They are better off without her. You don’t understand what she was like” (Exhibit C.4a, p7);
- he said about Mrs. Frodsham:-
  - “She had a black look with black eyes. She was an evil woman who could stare straight through you” (Exhibit C.4a, p8);
- the bar he used to hit her with was from BHP, that after he hit her he dragged her by the ankles, he put her into a hole he had dug, that he had been bleeding from cuts from the steel bar, that his blood was on her blue shoes, that she was still snorting after he had hit her, so he shovelled dirt on her and then left (Exhibit C.4a, p9).

2.7 On Sunday 2 February 1997 Mrs. Abbott went with Mr. Sturt in his car to where he said Mrs. Frodsham was buried. Before she left, she put a tape-recorder in her bag and left a note on her desk which said:-

“Gone with Roy somewhere towards Iron Baron. Just in case I don’t come back a letter is in my second drawer. He says he killed Renee Frodsham”.

The letters were letters Mr. Sturt had written to her earlier.

2.8 They headed south on the Lincoln Highway and then on to the old Kimba Road to an area known as Sinclairs Gap. Mrs. Abbott described what happened:-

- he said that Mrs. Frodsham was at the bottom of some low hills in the area, that they used to meet at the Westlands (Hotel) and that they would drive out to that spot, that they did so regularly;
- he told her that he had gone out there the day before and dug the hole in which she was to be buried. He had lain in the hole to make sure she would fit. He had also left the iron bar and the shovel in the area. He said:-
 

“She walked over the bar, I picked up the bar, I hit her across the head, she fell down, she moved and made a noise, so I hit her again. I dragged her and put her in the hole. One of her legs was sitting up and I had trouble putting it down. She was snorting”. (Exhibit C.4a, p11);
- he said that he buried Mrs. Frodsham’s body in the hole and then drove back to Whyalla, through the city and out on to the Port Augusta Road, where he threw her handbag out of the car to “make sure the police went in the opposite direction” (Exhibit C.4a, p12);
- he added that two years later, he went back to the grave site and it appeared as though foxes had got to it, so he put a mallee root on top of it.

2.9 After he showed Mrs. Abbott what he thought was the grave site, they drove back to Whyalla.

2.10 Mrs. Abbott was understandably fearful for her own safety. Yet she continued to lead Mr. Sturt on in order to get the information from him which would solve the mystery and bring him to justice. These were acts of great courage on her part.

2.11 In a later statement (Exhibit C.4b), Mrs. Abbott told the police that on Sunday 23 March 1997, the day she first gave her statement to the police, Mr. Sturt had telephoned her and was angry about the fact that he had not been able to contact her. During that conversation, he told her that Mrs. Frodsham had been wearing jeans when he murdered her. This was contrary to public knowledge on the subject, which was that she had been wearing a floral dress when she disappeared.

2.12 During their conversation on 28 March 1997, Mr. Sturt also told Mrs. Abbott that he had taken the steel bar he had used to kill her back to work and put it into a furnace. He also described the grave being about 2’4” deep, and that Mrs. Frodsham had been wearing a cross on a necklace he had given to her. It had been engraved with the letter “R” (Exhibit C.4c, p6).

2.13 Mrs. Abbott had previously burned most of the letters written to her by Mr. Sturt. However, on Friday 28 March 1997 he gave her four more letters, together with a briefcase containing photostat copies of all the letters she had previously burned. These were all handed over to Detective Stapleton on 4 April 1997.

2.14 Detective Stapleton said that there were a number of significant comments in the letters which corroborated Mrs. Abbott's evidence of her conversations with Mr. Sturt. These include comments such as:-

- "I could never had talked to anyone else I have ever known about my dark secret ...";
- "you now know something else horrible about this world ...";
- "perhaps you are arranging for a tail!";
- "perhaps you are having the area surrounded - or bugged!";
- "I am very toey Jacqueline - but if you had decided to turn me in and I knew it, I would still take you there anyway ...";
- "9.35p.m. and it's all over. The police didn't leap out from behind bushes, you didn't look at me with distaste/disgust/revulsion. The place had been torn up pretty badly but I think I got the spot in the end ...";
- "there is nothing left that I have to hide from you ...";
- "I don't think you will ever hear a 'wire' - because there isn't a satisfactory wire, just anger born of hurt, pride, fear, terror of exposure, loss of control, inability to understand, determination not to lose, loss of security, risk to family, and lots of other things - lesser things - that eventually amount to hate";
- "if you are to go to the police with what I told you tonight they would trace their history and I would end up in gaol or worse - how much more do you need to know, how much do I trust you?"
- "I pray that I have done you no damage in what I showed you and told you yesterday ...";
- "and then I saw the blood on my hand and remembered ...";
- "I have only hit one person in anger since I was about 10 years old. But I can visualise a loss of control that would slip me into my cold, calculating, violent, angry mode; and that guy would not get up again - not for a long time";
- "I don't think you are about to expose me to the rigours of the law";
- "Do you not really understand that you have my life and my freedom in your hands to dispose of as you wish? ...";
- "I will not bribe you or blackmail you with the idea that I will suicide if I cannot have you - I will not! But I start to see my future in practical terms - and I'm not sure I like it too much". (see Exhibit C.6c).

2.15 In later letters, Mr. Sturt began mentioning suicide:-

- "Have you gone off me?? ... If so, send wreath Monday c/o RDP Engineering. Send Police Tuesday to cut down the body";
- "I am going to make a copy and if you haven't called back by the time I am back I am going to hang myself - after I have finished my coffee of course - we mustn't waste must

we? Anyway - if I am hung by the time you call back just remember two things - one it's all your fault; two I love you";

- "SOS  
Haven't had single fax all day  
Desperate  
Have you gone off me?  
Well OK then you can get stuffed  
See if I care  
Going out to hang self  
You will miss me when I am gone  
See you later  
Me  
End";
- "If you need, take them to the spot - if that's what you need it for you. I only ask 24 hours notice that you are going to do so. I will not harm one hair of your head - that's not why I ask the notice - I think you know why I need that 24 hours - and there's no blame on you for it - my guilt - my blame";
- "... where the bloody hell have you been all evening/morning? A man lays here on his lonely bed wondering whether to celebrate or hang himself ..." (Exhibit C.6c).

2.16 Once all this information was placed in the hands of the police, the search began to locate Mrs. Frodsham's body. On 27 March 1997 Mrs. Abbott took them to Sinclairs Gap, and a detailed search was made of an area of scrub on the west side of the Iron Baron to Iron Duke railway line but no grave was identified. The search continued during the ensuing days.

2.17 On 3 April 1997 Royston Henry Sturt was interviewed at the Whyalla Police Station by Detective Loechel, in the presence of Detective Stapleton. Mr Sturt made no admissions. He was arrested and charged with the murder of Renee Frodsham that day.

2.18 On 16 April 1997, after enquiries had continued, a further search was conducted at Sinclairs Gap with the assistance of the S.T.A.R. Division and State Emergency Service. The search continued on 17 April 1997 and, on that day, the grave was located and skeletal remains were recovered. Along with the skeletal remains, a gold ring, a watch, blue-coloured watchband fragments, a gold chain and cross engraved with the letter "R", five keys and a fragment of cloth, were found.

2.19 Mr. Dennis Frodsham later identified the gold ring, watch, watchband remnants, the gold chain and cross, and keys as belonging to his wife (see Exhibit C.6d, p6).

### 3. **Cause of death**

3.1 On Monday 21 April 1997 Dr. J.D. Gilbert, Forensic Pathologist, performed a post mortem examination of the skeletal remains. His report is Exhibit C.3a.

3.2 Dr. Gilbert noted an almost straight 21cm skull fracture running front to back, commencing from the midline of the forehead, 5cm above the bridge of the nose. Another fracture, 15cm long, extended downwards to the left and slightly posteriorly, through the left parietal and temporal bones, terminating in the left external auditory meatus. He also found other, smaller, associated skull fractures.

3.3 Dr. Gilbert commented:-

- “1. There was no evidence of recent injury to the skeleton below the skull. The skull showed fracture damage indicative of at least two blows from a blunt object to the right parietal region, one moderately heavy blow about 9cm above the right ear and another more severe blow along the top of the head about 2 to 3cm to the right of the midline.
2. In the absence of the brain, it was not possible to accurately determine the likely chronology of events leading to death after infliction of the blows as there were a number of possibilities:
  - A. The severity of the blow causing the large fractures over the top and down the left side of the head may have been capable of causing virtually instantaneous death.
  - B. It is also quite possible that, although rendered unconscious immediately, the deceased could have survived for quite some time after infliction of the injury. If left undisturbed she may have succumbed some time later due to factors such as blood loss from scalp lacerations, brain swelling, brain compression due to bleeding inside the skull cavity or any combination of these factors.
  - C. It is therefore a possibility that the deceased could have been buried while unconscious but still breathing and with her heart still beating and thus could have finally succumbed to asphyxia due to being buried.
3. It should also be noted that absence of the soft tissues precluded exclusion of other possible modes of death such as strangulation, stabbing etc and other phenomena such as drugging or poisoning”. (Exhibit C.3a, p5).

### 4. **Identification**

4.1 Professor Maciej Henneberg, Wood Jones Professor of Anthropological and Comparative Anatomy, and Head of the Department of Anatomical Sciences at the University of Adelaide, also examined the skeletal remains and identified them as being those of an adult female, aged between 25 and 49 years, with a body height of

around 1650mm (Exhibit C.1a). This roughly corresponds with Mrs. Frodsham's description.

- 4.2 Dr. K.A. Brown, Forensic Odontologist, and Director of the Forensic Odontology Unit at the University of Adelaide, examined the teeth and jaws of the human remains in the company of Dr. Gilbert. He subsequently performed an odontological analysis using dental records produced from Whyalla dentists in the name of Mrs. Renee Frodsham. Dr. Brown concluded that the dental evidence confirmed identification of the deceased as Mrs. Frodsham (see Exhibit C.2b).
- 4.3 On the basis of this evidence, there is no doubt that the remains recovered by the police at Sinclairs Gap are those of Mrs. Renee Frodsham, and I accept Dr. Gilbert's evidence that the cause of death was blunt head trauma with skull fractures.

5. **Criminal proceedings**

- 5.1 On 9 September 1997 Mr. Sturt appeared in the Whyalla Magistrates Court on the charge of murder. He entered a plea of Not Guilty. The Magistrate, Mr. J.R. Harry SM, heard evidence from Mrs. Abbott, Ms. D.M. Renshaw, a woman who had a relationship with Mr. Sturt, and Detectives Boileau, Loechel and Stapleton. At the conclusion of the proceedings, Mr. Sturt was committed for trial in the Supreme Court on the charge of murdering Mrs. Frodsham.

6. **Conclusion**

6.1 The evidence is clear that the remains found by police on 17 April 1997 were those of Renee Frodsham.

6.2 The evidence of Mrs. Abbott, corroborated by the other evidence, and in particular the letters written by Mr. Sturt, indicate that Mr. Sturt had esoteric knowledge of the circumstances of Mrs. Frodsham's disappearance and the location of her body. In particular, his knowledge of the clothing she was wearing on the day she disappeared, which was different to that which was general knowledge in Whyalla at the time, together with his particular knowledge, for example the description of her necklace, demonstrate that he had an intimate knowledge of the circumstances of her disappearance.

6.3 Mr. Sturt's statements to Mrs. Abbott about the manner in which he killed Mrs. Frodsham, and in particular the fact that he hit her twice on the head with a blunt object, namely a steel bar, corresponds with Dr. Gilbert's findings as to the cause of death. When this is combined with all of the evidence surrounding the circumstances, I am satisfied that Royston Henry Sturt was responsible for Mrs. Frodsham's death.

6.4 Accordingly, I make the following findings:-

- that the human remains discovered by police on the 17<sup>th</sup> day of April, 1997 at Sinclairs Gap near Whyalla were those of Renee Frodsham;
- that Mrs. Frodsham was killed on or about the 17<sup>th</sup> day of March 1980 at Sinclairs Gap near Whyalla as a result of being struck on the head twice with a blunt instrument, namely a steel bar, by Royston Henry Sturt.

*Key Words: disappearance; homicide*

*In witness whereof the said Coroner has hereunto set and subscribed his hand and*

*Seal the 28th day of November, 2000.*