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**FINDINGS of Coroner Simon Cooper following the  
holding of an inquest under the *Coroners Act 1995* into  
the suspected death of:**

**Vincent Edward Down**

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# Record of Investigation into Death (With Inquest)

*Coroners Act 1995*  
*Coroners Rules 2006*  
*Rule 11*

I, Simon Cooper, Coroner, having investigated the death of Vincent Edward Down with an inquest held at Scottsdale in Tasmania, make the following findings:

## Hearing Date

2 February 2024

## Representation

A Bassett, A Hogan– Counsel Assisting the Coroner

## Introduction

1. On 8 August 1969 the disappearance of Mr Vincent Edward Downs was reported to Tasmania Police. There has been no trace of him since then. I am in no doubt that he is dead and I suspect very strongly that he was the victim of homicide.
2. Accordingly, I decided to hold an inquest into the circumstances surrounding his disappearance.
3. Mr Down's disappearance is being investigated so long after he went missing because the *Coroners Act 1995*, which governs the investigation of deaths in Tasmania, provides that "[a] coroner has jurisdiction to investigate a death if it appears to the coroner that the death is or may be a reportable death."<sup>1</sup>
4. 'Death' is defined in section 3 of the *Act* as including a 'suspected death'.
5. 'Reportable death' is defined in the same section as including a death which occurred in Tasmania and was unexpected or the cause of which is unknown.
6. Thus, if a coroner suspects (on reasonable grounds) that a person has died and the death meets the definition of a reportable death, then that coroner has the power to investigate that person's disappearance.
7. For reasons which will become apparent in this finding, I am satisfied that it is appropriate and necessary to investigate the disappearance of Vincent Edward Down

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<sup>1</sup> Section 21 (1).

because I am satisfied, on reasonable grounds, that he is dead, that his death was unexpected, that the cause of his death is unknown and was almost certainly the result of homicide.

8. The fact that Mr Down's disappearance and suspected death is being considered by a coroner more than 54 years after he was last seen alive needs to be explained. As noted above, his disappearance was reported to police in 1969, but not reported to the coroner until 13 January 2020. I note that under the previous *Coroners Act 1957*, no power existed to investigate suspected deaths. This changed with the advent of the current *Act* in 1997. Perhaps obviously, until a death (including a suspected death) is reported, a coroner cannot investigate it.
9. Furthermore, because the evidence suggests strongly that Mr Downs was the victim of homicide an inquest (which is a public hearing) was mandatory.

### **Evidence at the inquest**

10. At the inquest, the following documentary material was tendered.
  - C1 - Missing Person Report (08/08/1969) - Inspector Wagner;
  - C2 - Police Report of Death for the Coroner;
  - C3 - Handwritten Notes (25/08/2008) - Detective Sergeant McIntyre;
  - C4 - Review Report – Cold Case Unit (12/08/2008) - Detective Inspector Lathey;
  - C5 - Investigation Plan – Cold Case Unit - Detective Inspector Lathey;
  - C6 - Letter to Coroner Shott (10/10/2008) - Commander Little;
  - C7 - Handwritten notes (12/10/2009) - Possibly Detective Inspector Lathey;
  - C8 - Forensic Subject Report: Site Visit to possible grave site near Bridport on Fern Hill Road (21/05/2010); Constable Walker, Forensic Services;
  - C9a - Photographs – Family;
  - C9b - Photographs – Property;
  - C10 - Premium property reports – Drainage Plan Land Tasmania;
  - C11 - Photographs – Possible Burial Site;
  - C12 - USB – Drone Footage – possible grave site;
  - C13 - Google Earth Aerial Photographs;
  - C14 – Affidavit - Clyde Oakes;
  - C15 - USB – Interview Barry Orchid - R. Forsyth;
  - C16 – Affidavit - Claire White;
  - C17 - Perpetual Calendar;
  - C18 - List of Police officers involved with the initial Investigation;
  - C19 - QLD Police Report – re Murder/Suicide of Ursula Skell nee [sic] Feuerhammer and Alvin Feuerhammer (04/09/2002);

- C20 - Conviction Sheet – Gregory Peter Maher;
- C21 - Offence Report – 675932;
- C22 - Miscellaneous Documents;
- C23 - Statement (20/08/1969) - Doreen Francis Down;
- C24 - Statement (08/08/1969) - Alvin Charles Feuerhammer;
- C25 - Statement (09/08/1969) - Alvin Charles Feuerhammer;
- C26 - Statement (18/08/1969) - Alvin Charles Feuerhammer;
- C27 - Statement (undated) - David Allan Smyth;
- C28 - Statement (03/09/1969) - Edwin France;
- C29 - Missing Person Report (09/08/1969) - Senior Constable Cameron;
- C30 - Statement (undated) - Constable Holloway;
- C31 - Report Statement (unknown) - (Unknown);
- C32 - Statement (10/09/1974) - Gregory Peter Maher;
- C33 - Statement (13/9/1969) - Dale John Dean;
- C34 - Statement (04/06/1973?) - Bruce Angus Walters;
- C35 - Statement (6/8/1973) - Kenneth Mervyn Keith Jordan;
- C36 - Report – (09/08/1973) – Sighting - K.Jordan;
- C37 - Report – (14/08/1973) – Identification of K.Jordan;
- C38 - Report – (27/08/1973) - Const Johnson;
- C39 - Report – (14/10/1973) – Investigation around;
- C40 - Report – (18/10/1973) – Search for nominated burial location in Kamona;
- C41 - Report – (9/11/1973) – As above;
- C42 - Report – (12/11/1973);
- C43 - Statement – (26/09/1974) - Rex Albert Maher;
- C44 - Report – (11/08/1969) – requesting CIB assistance - Insp Wagner;
- C45 - Report – (11/08/1969) - Insp Howard;
- C46 - Report – (19/08/1969) - Insp Cole;
- C47 - Report – (10/09/1969) - Dectective Sergeant McIntyre;
- C48 - Report – (30/09/1969) - Victoria Police;
- C49 - Report – (19/11/1969) - Det Sgt McIntyre;
- C50 - Report – (26/11/1969) - Det Insp Byrne;
- C51 - Report – (11/12/1969) – Request for reward - Det Insp Byrne;
- C52 - Copy of reward request (Jan 1970);
- C53 - Details of inquiries made in South Australia (28/02/1970);
- C54 - Details of information held by Bruce Halley (11/05/1973);
- C55 - Report – (11/05/1973) as above.

11. In addition to the above documentary material, Detective Senior Constable Russell Forsyth, of the Launceston Criminal Investigation Branch (CIB) gave evidence at the inquest.
12. All that evidence supports the following findings of fact.

### **Mr Downs' background**

13. Mr Down was born on 8 August 1926 at Scottsdale (which was where I decided to hold the inquest - some members of his family still live in the area and were able to attend the hearing). If he were still alive today, he would be 97 years old. A former member of the Tasmanian Police Force, at the time of his disappearance, Mr Down was self-employed as a fisherman.
14. He was married to Doreen Francis Down. The couple married in 1948. Mr Down joined the Tasmania Police Force (as it then was)<sup>2</sup> on 17 July 1951. During his service he was stationed at Launceston, Hobart, Ulverstone, Wayatinah, Cygnet and George Town. He reached the rank of sergeant before resigning on 21 April 1966.
15. When he joined the Tasmania Police his occupation was described as a "cabinetmaker". His Royal Australian Air Force personnel file from the Second World War says he was a lorry driver when he enlisted in August 1944.<sup>3</sup>
16. Mr and Mrs Down moved to Bridport after he left Tasmania Police. Mr Down commenced fishing with his brother-in-law (Doreen's brother) Gerald Lade.

### **Circumstances of his disappearance**

17. The evidence is that Mr Down was last verifiably alive at his home in Walker Street, Bridport on 7 August 1969. No trace of him has ever been found since. The fact of his disappearance was reported to Police the following day by his wife Doreen.<sup>4</sup> In the report compiled by Tasmania Police at the time, Mr Down is described as being 43 years of age, 5'11" in height with blue eyes, curly brown short hair, clean-shaven and of a slim build.
18. The report includes the information that he was reported to have left his neighbour Alvin Charles Feuerhammer's home that evening.

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<sup>2</sup> Despite name changes, I will use the modern term 'Tasmania Police' in this finding for convenience and consistency.

<sup>3</sup> Mr Down served overseas after the end of the war, in particular in Japan as part of the occupation forces. His personnel file indicates that he was a driver in the air force.

<sup>4</sup> Exhibit C1 – Missing Person Report.

## Investigation

19. An investigation was commenced following the report to police by uniform police stationed at both Bridport and Scottsdale and detectives from Launceston CIB. It is evident that from the outset police treated his disappearance as suspicious.
20. The initial investigation established that between 28 July and 5 August 1969, Mr Down had been at sea fishing. He was at home all day on Thursday 7 August 1969 doing some gardening and other household chores.
21. The investigation established that shortly after 7.00pm that day, Mrs Down left the family home to play badminton, as was her usual practice, at nearby Nabowla. That was the last time she saw her husband. He was at home doing some paperwork associated with his fishing business – either ‘returns’ or ‘tax’.
22. The investigation uncovered the fact that Mrs Down was having an affair with a local panel beater, 25 year old Alvin Charles Feuerhammer. Mr Feuerhammer’s involvement in Mr Down’s death (having a possible motive to kill Mr Down) was the initial focus of the investigation.
23. That focus appears to have sharpened somewhat when it became apparent that Mr Feuerhammer was the last person to see Mr Down alive.
24. Mr Feuerhammer’s account to Police at the time was both difficult to follow and somewhat inconsistent. In summary, in his first statement (made on 8 August 1969) he said that he was contacted by Mr Down who asked him to come to his home to discuss rumours about the nature of his relationship with Mrs Down. In an account given the next day, Mr Feuerhammer said that in fact Mr Down spoke to him about the fact that he (Down), was contemplating suicide because he was having an extra-marital affair, and the unidentified woman with whom he was involved had fallen pregnant and was blackmailing Mr Down.
25. In both versions, Mr Feuerhammer told investigators that he then invited Mr Down to his home to repair a TV cabinet which had a bullet hole in it, from an earlier accident (it will be remembered that Mr Down’s occupation when he joined the police was stated to be a cabinet maker). Mr Feuerhammer said after Mr Down left his home a little later that evening (and not having repaired the TV cabinet – despite having his tools with him), he did not see him again. I note investigating Police found a bullet hole in the cabinet. Mr

Feuerhammer's story might well be thought to be an attempt to explain away a bullet hole caused that night at his home.

26. Mrs Down returned from badminton at approximately 12.45am on 8 August 1969. Her husband was not there. The weather was cold and wet. It had been raining heavily but all of Mr Down's coats and jackets were still in the house. All his clothing and other possessions were undisturbed.
27. She said she went to the Bridport Wharf and checked his boat, but did not find him. Mrs Down contacted her sister who helped her look for Mr Down. Their search included re-examining the wharf area and his boat.
28. Mrs Down told investigators that at about 3.00am she telephoned Mr Feuerhammer and asked if he had seen Mr Down. Mr Feuerhammer told her that he had last seen Mr Down at 8.20pm the previous day, when he left after repairing his TV cabinet (which he did not do).
29. The contemporary investigatory material indicates that Mrs Down rang Mr Feuerhammer back at 4.00am and asked him directly if he had anything to do with her husband's disappearance. Reportedly, Mr Feuerhammer said that he would only speak to an Inspector Wagner about the matter.
30. Mrs Down then reported her husband's disappearance to Bridport Police at 5.50am.
31. The police response in August 1969 was prompt and, by standards of the time, comprehensive. An extensive search of Bridport and its environs was carried out. No trace of Mr Down, alive or dead, was found. A number of people were apparently interviewed and statements were obtained. Mr Feuerhammer's motor vehicle (a utility), home and clothing were all inspected and analysed (although with result, if any, is unclear).
32. The investigation confirmed the fact of the relationship between Mrs Down and Mr Feuerhammer. It also established that Mrs Down had ended their affair shortly before her husband's disappearance.
33. So far Mr Feuerhammer's ute was concerned, Mrs Down said when she saw it, presumably in the immediate aftermath of her husband's disappearance, it was very muddy and dirty, as was apparently its normal state. The day after Mr Down's disappearance it was found, when examined by police, the vehicle to have been remarkably clean, suggesting it had been recently, and thoroughly, washed and cleaned.

34. The investigation confirmed Mr Feuerhammer owned a .22 rifle. It also established that there was a bullet hole in a TV cabinet at his house. However it is now unclear what evidence of a forensic nature was unearthed.
35. A matter that I consider to be of significance is that Mrs Down told Police that following her ending the relation with Mr Feuerhammer he said something to the effect that he would cause her as much pain as she had caused him.
36. Police arranged to formally interview Mr Feuerhammer at headquarters in Launceston on 18 August 1969. Before the interview he took legal advice from Mr John Wilson, a prominent lawyer in Launceston. He also visited, unannounced, the Bridport home of a Constable Holloway and made a number of statements to him that must then, and certainly now, have caused suspicion that he was responsible for Mr Down's disappearance. He said:
- "I have been thinking about Down and I might have done something to him; and*
- "I keep thinking I may have washed out the back of the Ute that night Down went missing... But I don't know if it really happened".*
37. It is unclear whether the detectives from CIB who interviewed Mr Feuerhammer on 18 August 1969 were aware of these statements. Certainly, the conversation with Constable Holloway was not raised with Mr Feuerhammer when that interview took place. Otherwise the interview traversed areas associated with the nature of his relationship with Mrs Down, the duration of that affair and his dealings with Mr Down on the night of 7 August 1969. Mr Feuerhammer did not make any admissions as such.
38. Other evidence directly relevant to the circumstances surrounding Mr Down's disappearance came from a witness Mr David Smyth who said that on 7 August 1969 at approximately 9.30pm he was walking along main road between Scottsdale and Bridport and saw a blue Ford Falcon utility vehicle which he recognised as belonging to Mr Feuerhammer. He said that he saw Mr Feuerhammer driving it alone and that the cover on the tray of the ute was in place.
39. Mr Feuerhammer's explanation appears to be that at about 9.00pm that night he drove his utility to the garage he worked in Bridport to obtain a packet of cigarettes.
40. Thus, the investigation established the following:
- a. Mr Down had disappeared and was almost certainly dead;
  - b. Mrs Down was having an affair (or had been) with Mr Feuerhammer;

- c. Mr Feuerhammer had threatened to cause Mrs Down 'pain';
  - d. Mr Feuerhammer was the last person to see Mr Down alive;
  - e. Mr Feuerhammer gave differing accounts of his interactions with Mr Down on the night of 7 August 1969;
  - f. A bullet hole was found in a piece of furniture at Mr Feuerhammer's home;
  - g. Mr Feuerhammer was seen driving his ute at about 9.30pm on 7 August 1969 on the main road between Bridport and Scottsdale;
  - h. Mr Feuerhammer washed his Ute after that time and before he was spoken to by police on 8 August 1969; and
  - i. Mr Feuerhammer made statements which were, implicitly at least, admissions as to his involvement in Mr Down's disappearance.
41. Police also investigated the possibility that Mr Down had been killed by one Gregory Peter Maher. The investigation carried out at the time satisfies me affirmatively that Maher had no role in Mr Down's death.
42. However, in the absence of a body it would appear that the investigation 'petered out', as it were.

### **Subsequent developments**

43. Mr Feuerhammer died on 2 September 1994 in Bundaberg, Queensland. He died as a result of suicide, the result of a self-inflicted gunshot wound with a .22 rifle. His suicide occurred in the aftermath of his having murdered his wife with the same rifle.
44. In 2008, a substantial review of the circumstances surrounding Mr Down's death was undertaken by Tasmania Police Cold Case Unit. However, that review did not unearth any additional information to assist in determining what became of Mr Down.
45. Further investigations occurred in 2022 at my direction, primarily directed to endeavouring to identify a potential grave site. Unfortunately, no further relevant material has come to light as a result of those investigations.

### **Formal Findings**

- a. The identity of the deceased is Vincent Edward Down;
- b. Mr Down died in the circumstances set out further in this finding;

- c. It seems likely that the cause of Mr Down's death was a gunshot wound; and
- d. Mr Down died, on or about 7 August 1969, at or near Bridport in Tasmania.

### **Conclusion**

46. As I have said I am satisfied that Mr Down died on or about 7 August 1969. I am satisfied that the most likely explanation for his death is that he was shot by Alvin Charles Feuerhammer who then removed his body in his ute and disposed of it somewhere in the general vicinity of Bridport and/or Scottsdale.
47. The circumstances of Mr Down's death are not such as to require me to make any recommendations pursuant to Section 28 of the *Coroners Act 1995*.
48. I wish to express my particular gratitude to Detective Senior Constable Russell Forsyth for the manner in which he continued investigations and prepared the file to enable the matter to proceed to inquest.
49. I convey my sincere condolences to the family and loved ones of Vincent Edward Down.

**Dated:** 23 May 2024 at Hobart in the State of Tasmania.

**Simon Cooper**

**Coroner**