

FORM 37

Rule 60(1)

FINDING INTO DEATH WITH INQUEST

Section 67 of the Coroners Act 2008

Inquest into the Suspected Death of Geoffrey Wearne

Delivered On:	22 FEBRUARY 2013
Delivered At:	MELBOURNE
Hearing Dates:	22 FEBRUARY 2013
Findings of:	CORONER K.M.W. PARKINSON
Place of death	UNKNOWN
Counsel Assisting	SENIOR CONSTABLE JOHN KENNEDY

FORM 37

Rule 60(1)

FINDING INTO DEATH WITH INQUEST

Section 67 of the Coroners Act 2008

In the Coroners Court of Victoria at Melbourne

I K. M. W. Parkinson Coroner, having investigated the death of:

Details of deceased:

Surname: WEARNE
First name: GEOFFREY
Address: 37 BOURNE STREET, GLEN IRIS. 3146

AND having held an inquest on 22 FEBRUARY 2013 at Melbourne in relation to the suspected death

find that the identity of the deceased was Geoffrey Wearne
and the death is likely to have occurred on or about 4 July 2011
at an Unknown location
from an Unascertained cause

In the following circumstances:

1. Application was made by solicitors for Mrs Wearne for a finding that Mr Wearne was deceased and that he had taken his own life shortly after his disappearance. An inquest was conducted on 22 February 2013 in relation to suspected death of Mr Geoffrey Wearne. This is my finding.

2. A brief of evidence has been provided to the Coroner in this matter, with extensive investigations being undertaken by Victoria Police Investigating member and former Belier Task force member Detective Senior Constable Mark Rippon of Boroondara CIU.
3. Mr Wearne was born on 9 June, 1957. He was 54 years old at the time of his disappearance. He resided with his wife, Mrs Pamela Wearne and his son and daughter. He is described by family members as unlikely to not make contact with his children in the event that he was still alive.
4. Mr Wearne was a qualified engineer employed in stable and secure employment at a senior level. He had a past medical history of lung scan abnormality thought to be pulmonary embolic disease which his doctors believe may have been associated with frequent long haul air travel.
5. He did not have a history of mental illness although had been treated for anxiety in the context of personal relationship stresses and intermittent work related stress. His wife reported to police that he was diagnosed with a personality disorder, however that diagnosis is not apparent from the medical records before the court.
6. His GP, Dr Ronnie Gerendasi reports that he had not been diagnosed with depression however he suffered from anxiety related to stressors in his life. He had been receiving assistance from his GP in relation to his anxiety on several occasions in the period 2005 to 2011. He was counselled, offered referral to a psychologist and prescribed medication where appropriate.
7. Dr Gerendasi reports that the major stressors he had relayed related to a number of events involving his wife's health and his responsibilities in caring for her and stress arising from time to time from his work responsibilities. At an appointment on 14 February 2011, he reported that he was feeling well, denied any ongoing problems, however described some anxiety relating to a high level work presentation. Dr Gerendasi reported that his mental health had appeared to be improving on his most recent visits and that he did not at any time

present with suicidal ideation.

8. The evidence is that in the period shortly prior to his disappearance Mr Wearne was experiencing serious personal relationship issues and that he and his wife had been engaged in relationship counselling. That counselling appears to have been unhelpful to Mr Wearne and resulted in his becoming distressed on at least one occasion after the session, to such an extent that his wife observed a physical effect upon him.
9. Mrs Wearne reports that he returned home from a counselling session on Saturday 2 July, 2011 that he was “grey” and “*he just looked different it was like he was just in a daze*”. She stated that he continued to refer to the counselling session and the evidence is that he was anxious about future attendances on the counsellor for Relationships Australia, Mr Mark Bennets.
10. The counsellor stated that during the session Mr Wearne had become very emotional that he believed that: “*he was coming to terms with the negative affects that his behaviour had had on his family*”. It is unclear from the limited counselling notes exactly what it was about Mr Wearne’s behaviour which was having a negative effect upon his family, however it appears that Mr Wearne may have become convinced as a result of the counselling sessions, that he was somehow entirely responsible for the problems in his personal relationship. This is apparent if the handwritten notes are read with the counselling sessions in mind. The counsellor’s notes describe the issues as Mr Wearne’s passive aggressive behaviour in addition to a past incident of infidelity. The counsellor stated that Mr Wearne did not appear to be suicidal and did not make any reference to suicidal intention.
11. The report of the GP, however as to the complex background to the relationship issues throws a different light on the circumstances as they related to both parties and these do not appear to have been fully appreciated by the counsellor who consulted with Mr and Mrs Wearne in a marriage counselling session. It appears that the counselling sessions resulted in an increase in Mr Wearne’s already heightened level of anxiety and this is evidence from his conversations with his wife and the notes which he left upon his disappearance.

12. Mr Wearne is reported to have left home on 3 July 2011 in his motor vehicle. He did not return on that day and on 3 July 2011 after having located a note which she understood indicated his intention to take his own life, Mrs Wearne contacted Victoria Police by telephone and reported him missing. The note included 'blue is my favourite colour after all. It will all make sense in a couple of days'.
13. On the afternoon of 4 July 2011 Mrs Wearne has reported that she located further notes in the letterbox identified as being in Mr Wearne's handwriting. It appears that the notes had not been mailed but had been placed in the letterbox by Mr Wearne. In those notes there are references to 'blue' to the ocean and in one note an indication that Mr Wearne was 'going in at Gunnamatta'. The notes were identified as being in the handwriting of Mr Wearne by police forensic analysts. Certain passages from books kept in the home have been highlighted or underlined, apparently by Mr Wearne. These include writings touching upon the subject of suicide.
14. Police located Mr Wearne's motor vehicle in the car park at Gunnamatta Beach on the Mornington Peninsula on 4 July 2011.
15. A man who appears to fit the description of Mr Wearne was observed by two fishermen to be in the driver's seat of Mr Wearne's vehicle at the Gunnamatta main lower car park at approximately 7.00am on 4 July 2011. These witnesses described that the man appeared to be wearing a high visibility vest. They report that he was not there when they returned to the car park. They did not see him on the beach or entering the water at any time during the day.
16. Mrs Wearne has recently 21 December, 2012 advised investigating police that her husband was likely to have been wearing a yellow green jumper which was of a colour and style that may have been mistaken for a safety or reflective jacket as described by the fishermen.
17. I am conscious that there is no eyewitness evidence to Mr Wearne either being on the beach

or entering the water at Gunnamatta Beach. An extensive land, sea and air search was undertaken by Victoria Police on 4, to 5 and 7 July and again in August of 2011. Searches were also made of the surrounding dense scrub and adjoining track areas that surround the beach area to no effect.

18. Water police reported that had he entered the water and drowned there was a 60% chance having regard to tidal patterns that his body would be located at the Gunnamatta area and that there was also a possibility of the body drifting towards Flinders.
19. Whilst Mr Wearne was not seen accessing the beach by the fishermen, there are a number of ways to access the beach at this location and that he was not observed to enter the water does not exclude the possibility that he did so.
20. Gunnamatta Beach was a beach known to Mr Wearne as he and his family had maintained a holiday home on the Mornington Peninsula for some years. He is reported by his wife as being familiar with the beach and the treacherous nature of the ocean conditions at that beach.
21. Inquiries have been made in Victoria and interstate in relation to Mr Wearne's whereabouts to no result. Police have undertaken national missing person inquiries including as to activity upon banking accounts, access to health services, immigration and regulatory authorities. There is no record in Victoria or interstate of any activity by Mr Wearne since the date of his disappearance on 3 July 2011 and possible last sighting on 4 July 2011. The most recent updated missing person information undertaken by Detective Senior Constable Rippon reveals that there has been no activity in the name of Mr Wearne since his disappearance on 3 July 2011 and the possible last sighting on 4 July 2011.
22. His relatives have no knowledge of his whereabouts and have had no contact with him since 3 July 2011. There has been no activity upon any of his banking accounts which may suggest that Mr Wearne was accessing funds. His passport was located and his driver's license, credit cards and other financial documents were left at the family home together

with his mobile phone.

23. There are a number of uncertainties in relation to the disappearance, which I have considered these matters as part of the investigation into the possible death. They include:
- No-one has seen Mr Wearne either on the beach at Gunnamatta nor entering the water; As to this matter as I have earlier concluded it is possible at that location to access the beach from a number of locations and entry points and it would be possible to enter the water and not be seen to do so;
 - No body has been recovered; Having regard to tidal and marine activity this is not ultimately conclusive;
 - Sand was located together with other items in the boot of the car and wet sand was identified on the drivers side floor mat when his son, Mr Oliver Wearne collected the vehicle from police custody. His son was concerned that this suggested that Mr Wearne had been on the beach and had returned to the car. Investigators are unable to explain the presence of sand however do not consider that it has forensic significance in this case. That is, they do not consider there are any suspicious circumstances.
 - Unusual inquiries made by Mrs Wearne on 5 July 2011 of the investigating police; I am satisfied that unusual behaviour concerning financial matters on the part of Mrs Wearne in the days immediately following Mr Wearne's disappearance may be explained in the context of the relationship itself and the immediate distress and uncertainty surrounding her husbands disappearance.
24. Against these factors are the lengthy investigations undertaken by police and the fact that Mr Wearne has not participated in any commercial activity, has not been sighted and has made no communication with his family, particularly his children since his disappearance. Notes were left which are able to be understood as indicating his intention to take his own life and he was distressed as a result of the matters to which I have earlier referred.
25. Having considered the available evidence in this matter, I am satisfied that no further

investigation may be usefully made.

26. Whilst the circumstances suggest that death may have resulted from drowning, in the absence of a body or any witness observing Mr Wearne entering the water, it is not possible to make a definitive finding as to the cause of death. It is however likely that Mr Wearne took his own life on or about 4 July 2011 and that the place of death was likely to be at or around Gunnamatta Beach.

27. I am satisfied on the balance of probability that Mr Geoffrey Wearne is deceased, that he took his own life and that his death was likely to have occurred on or about 4 July 2011.

Signature:



Coroner K. M. W Parkinson

Date: 22 February 2013

