

FORM 37

Rule 60(1)

FINDING INTO DEATH WITH INQUEST

Section 67 of the Coroners Act 2008

Court reference: 2171/10

Inquest into the Death of KEITH WILLIAM ALLAN

Delivered On:	27 February 2012
Delivered At:	Level 1, 436 Lonsdale Street, Melbourne
Hearing Dates:	27 February 2012
Findings of:	JANE HENDTLASS
Place of death:	Unascertained
Assistant:	Sergeant Tracy Weir

FORM 37

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FINDING INTO DEATH WITH INQUEST

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Court reference: 2171/10

In the Coroners Court of Victoria at Melbourne

I, JANE HENDTLASS, Coroner

having investigated the death of:

Details of deceased:

Surname: ALLAN
First name: KEITH
Address: 13 Beavers Road, Northcote, Victoria 3070

AND having held an inquest in relation to this death on 8 September 2010 at Melbourne

find that the identity of the deceased was KEITH WILLIAM ALLAN

and death occurred on or about 28 May 2010

at UNKNOWN

from

1a. UNASCERTAINED

1. Keith William Allan was 53 years old when he died. He lived at 13 Beavers Road in Northcote. Mr Allan worked as a solicitor in Avondale Heights and Springvale. He had no known serious illness. His general practitioner was Dr Mahendra Menon.

2. At about 9.45pm on 28 May 2000, Mr Allan was last seen alive by Julian Clarke at a Quix Service Station in Milleara Road in East Keilor. Mr Clarke worked as a law clerk in Mr Allan's legal practice and he had met Mr Allan at work earlier in the evening. They had discussed financial difficulties arising from Mr Clarke's maintenance of and inability to reconstruct the practice trust accounts. Later investigations found that Mr Clarke had been misusing the trust account to misappropriate about \$1m and to sustain a further \$5m in gambling debts owed by third parties.

3. Mr Costas Athanasi is an associate of Mr Clarke. Mr Clarke spoke to Mr Athanasi on the telephone within four minutes of Mr Allan's disappearance. A jury accepted that Mr Athanasi arranged for Mr Sudo Cavkic to kill Mr Allan.

4. Mr Cavkic is an associate of Mr Athanasi and he rang Mr Athanasi on a number of occasions after 9.20pm on 28 May 2000. These telephone calls originated from the Mount Macedon area. Further, at 2.20am on 29 May 2000, police intercepted Mr Cavkic driving Mr Allan's car in Ayr Street in Laverton. They found digging instruments and a garbage bag containing Mr Allan's possessions in the car and a pistol in his trousers. Mr Allan's blood was identified on Mr Cavkic's clothes.

5. Police investigating Mr Allan's disappearance concluded that Mr Cavkic killed Mr Allan at an unknown location probably in the Mount Macedon region between 11.00pm on 28 May and 2.00am on 29 May 2000. Mr Allan's body has never been found.

6. On 31 October 2002, police arrested Mr Clarke and charged him with Mr Allan's murder. On 1 November 2002, they also charged Costas Athanasi with Mr Allan's murder. On 18 February 2003, police also charged Mr Cavkic with Mr Allan's murder.

7. On 16 August 2007, Sudo Cavkic, Costas Athanasi and Julian Clarke were found guilty by a jury of the murder of Keith Allen. The Supreme Court sentenced Mr Cavkic to 25½ years in prison with a minimum of 21½ years before he becomes eligible for parole, and Mr Athanasi to 24 years in prison with a minimum of 19 years. Further, it sentenced Mr Clarke to 28½ years in prison with a non-parole period of 23½ years.

8. Accordingly, I find that Sudo Cavkic killed Keith Allan but I remain unable to determine the cause of Keith Allan's death.

Signature:

Dr Jane Hendtlass
Coroner
27 February 2012

