

IN THE CORONERS COURT  
OF VICTORIA  
AT MELBOURNE

Court Reference: COR 2011 004096

**FINDING INTO DEATH WITH INQUEST**

*Form 37 Rule 60(1)*

*Section 67 of the Coroners Act 2008*

**Inquest into the Death of KIM CHERIE TEER**

Delivered On: 11 March 2015

Delivered At: Coroners Court of Victoria  
65 Kavanagh Street  
Southbank  
Victoria 3006

Hearing Dates: 10 and 11 March 2015

Findings of: Coroner Jacqui Hawkins

Police Coronial Support Unit Leading Senior Constable Amanda Maybury appeared to assist the Coroner

I, Jacqui Hawkins, Coroner, having investigated the death of KIM CHERIE TEER AND having held an inquest in relation to this death on 10 and 11 March 2015 at the Coroners Court of Victoria, 65 Kavanagh Street, Southbank, Victoria, 3006 find that the identity of the deceased was KIM CHERIE TEER born on 15 October 1961 and the death occurred between mid-September and 1 October 1979 at an unknown location

**from:**

1a) UNKNOWN CAUSES

**in the following circumstances:**

### **BACKGROUND**

1. Kim Cherie Mary Teer was born in Bourke, New South Wales (NSW) on 15 October 1961 to Colleen and Gregory Teer. Her mother described her as a good student who was both sport and family minded and quite adventurous.
2. In 1968, Ms Teer's father returned to Ireland, leaving her mother to raise her alone. In 1971, Colleen Teer married Donald Holding, who had three children from a previous marriage, and assumed the name Colleen Holding. In 1973, Ms Teer and her family moved to North Haven NSW where she attended North Haven Primary School and later Kendall Central School.
3. Ms Teer completed Form 4, her final year of high school, in 1977. At this time, she moved out of the family home and into a caravan. She was known to be an independent person who would go camping alone with her Border Collie, Crosby. Ms Teer planned to travel around Australia by hitch-hiking, a mode of transport she had previously used to travel between North Haven and Byron Bay.
4. In late 1978 Ms Teer, Crosby, and her friend, Sue Mudford, commenced a trip around Australia. They first hitch-hiked to Balmain, Sydney where they stayed for a few days, then south to Shellharbour where they stayed in a beach shack with a friend of Ms Teer's, Martin Pundyk. The two girls then hitch-hiked south to Bega, then Eden where they worked on a tuna boat for five or six days.<sup>1</sup>
5. After this, they made their way to Melbourne, staying only one night before hitch-hiking to Mt Gambier where they spent several days. Just after Christmas 1978, they arrived in Mildura where they planned to find work fruit picking before continuing their travels.

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<sup>1</sup> Statement of Sue Mudford (undated), Inquest Brief, page 20.

6. On 22 January 1979, Ms Teer wrote to her mother and advised that she and a friend (believed to be Ms Mudford) were camping in another friend's backyard in Mildura. She also wrote that she sent away for her birth certificate but was unsuccessful as she included the wrong amount of money. She further noted that she might start picking grapes in Mildura on 18 February 1979.<sup>2</sup>
7. By the end of March 1979, Ms Teer was picking grapes in Berri, South Australia, where she met and made friends with Gwynneth Clifton. Like Ms Teer, Ms Clifton was travelling and seeking work picking fruit. It is through Ms Clifton that Ms Teer met Russell Triggs. Ms Clifton had a dog called Odin and the two girls and their dogs travelled various places together. On 28 March 1979, Ms Teer wrote to her mother and advised that she intended to travel to Alice Springs with "Gwenn"<sup>3</sup> for a short trip before returning to Berri to resume work.<sup>4</sup>
8. In early April 1979, Ms Teer attended the "Down to Earth Festival" held in Renmark where she met Michael Wagstaffe. Ms Teer and Mr Wagstaffe later re-established contact in Adelaide and arranged to travel across the Nullarbor together. Mr Wagstaffe drove Ms Teer, Crosby, and another, unknown, female to Norseman, Western Australia.<sup>5</sup>
9. On 27 April 1979, Ms Teer wrote to her mother from Esperance, Western Australia, telling her that she and others would soon head to Manjimup, Western Australia for apple picking. Ms Teer told her mother that a motor scooter she purchased in Mildura was being borrowed by a friend who would return it to Mrs Holding in the months to come.<sup>6</sup> In this letter, Ms Teer also tells her mother that she should address future mail to her, care of the Broome Post Office.<sup>7, 8</sup> This is consistent with the statement of Mr Wagstaffe who indicates that he saw Ms Teer in Broome sometime after they had parted ways in Norseman.
10. On 29 May 1979, Ms Teer wrote to her mother from Perth, Western Australia. Ms Teer stated that she would be leaving Perth on 31 May 1979 for Bowen, Queensland. Ms Teer indicated that she was travelling with a male friend, however the identity of this friend is unknown.<sup>9</sup>

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<sup>2</sup> Letter from Ms Teer to Mrs Holding dated 22 January 1979 and postmarked Mildura, Inquest Brief, pages 169-174.

<sup>3</sup> The evidence suggests that "Gwenn" was Ms Clifton.

<sup>4</sup> Letter from Ms Teer to Mrs Holding dated 28 March 1979 and postmarked Renmark, Inquest Brief, pages 175-180.

<sup>5</sup> Statement of Michael Wagstaffe undated, Inquest Brief, page 26.

<sup>6</sup> The scooter was never received by Mrs Holding and investigations by police were unable to find any further information about the vehicle.

<sup>7</sup> It is believed that Ms Teer travelled to Broome Western Australia around May or June 1979, where she again met Mr Wagstaffe. It cannot be established whether her visit to Broome occurred between visiting Esperance and Perth or on her way to Bowen Queensland.

<sup>8</sup> Letter from Ms Teer to Mrs Holding dated 27 April 1979 and postmarked Esperance, Inquest Brief, pages 181-193.

<sup>9</sup> Letter from Ms Teer to Mrs Holding dated 29 May 1979 and postmarked Perth, Inquest brief pages 194-198.

11. In late June 1979, Ms Teer sent a telegram to her mother from Bowen, Queensland telling her she had a job.<sup>10</sup> Then, on 12 July 1979, Ms Teer wrote from Bowen advising that she had just spent two weeks on a fishing boat and intended to get a job picking tomatoes. The evidence suggests that at this time she reconnected with Mr Triggs and Ms Clifton and Ms Teer asked them to call in at North Haven when they eventually headed to Melbourne.<sup>11</sup>
12. On approximately 1 August 1979, Ms Teer returned to North Haven NSW. Mrs Holding had recently sold the family home and was living in the Brigadoon Caravan Park, North Haven.<sup>12</sup>
13. On approximately 11 August 1979, Ms Clifton and Mr Triggs visited the North Haven area to catch up with Ms Teer. Mr Triggs indicated in his first statement that Ms Teer pressed them to give her a lift with them to Melbourne. This is consistent with Mrs Holding stating in her interview that Ms Teer left with Ms Clifton and Mr Triggs bound for Melbourne.<sup>13</sup> Mrs Holding said that her daughter appeared to be excited about heading off on her next great adventure. Her memory was that when Ms Teer left, she was wearing a white cheesecloth skirt, sandals and a t-shirt. She had with her a backpack, which Mrs Holding believed was a sort of dark grey colour, and new clothes for the colder Melbourne weather.<sup>14</sup>
14. There is some contradictory evidence as to the timing and circumstances in which Ms Teer came to be staying with Ms Clifton and Mr Triggs in East Melbourne.<sup>15</sup> However, the weight of the evidence suggests that Ms Teer did travel to Melbourne with Ms Clifton and Mr Triggs and Ms Teer stopped in Rouse Hill outside of Sydney where she had dinner with a friend. Meanwhile, Ms Clifton and Mr Triggs stayed with her mother in Sydney and picked Ms Teer up on the way to Melbourne.<sup>16</sup>
15. By approximately 14 August 1979, Ms Teer was staying at Unit 4, 62 Simpson Street, East Melbourne, with Ms Clifton and Mr Triggs.<sup>17</sup> Mr Triggs indicates that his mother had been

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<sup>10</sup> Telegram from Ms Teer to Mrs Holding, Inquest brief pages 199-201.

<sup>11</sup> Letter from Ms Teer to Mrs Holding dated 12 July 1979 and postmarked Bowen, Inquest brief pages 202-207.

<sup>12</sup> Exhibit 1 - Interview between Mrs Holding and Detective Sergeant Fawkner dated 13 July 2010, Inquest Brief, pages 89-167.

<sup>13</sup> Exhibit 1 - Interview between Mrs Holding and Detective Sergeant Fawkner dated 13 July 2010, Inquest Brief, pages 119 and 124.

<sup>14</sup> Exhibit 1 - Interview between Mrs Holding and Detective Sergeant Fawkner dated 13 July 2010, Inquest Brief, page 120.

<sup>15</sup> For example, Ms Clifton talks about the possibility that Ms Teer made her own way to Melbourne after them. I consider this most likely to be a product of decline in memory over time, rather than a deliberate attempt to obfuscate the truth. I further acknowledge and accept that this was an articulated caveat of their evidence, both during the recorded interviews with Victoria Police and at Inquest.

<sup>16</sup> Evidence of Ms Clifton at Inquest, 11 March 2015.

<sup>17</sup> Letter from Ms Teer to Mrs Holding dated 27 August 1979, Inquest brief pages 208-215. I note that in some initial documents relating to the investigation by New South Wales Police, this date is recorded as 27 October 1979. However, the preponderance of evidence, including the letter itself, suggests that the correct date is 27 August 1979.

unwell and so he and Ms Clifton spent the week after their arrival cleaning up her house. At Inquest, Ms Clifton confirmed that Ms Teer did stay with them during this time.

16. On 27 August 1979, Ms Teer posted a letter to her mother that she had started on 20 August 1979.<sup>18</sup> The letter said that she was staying at “[Mr Triggs’] mother’s flat in East Melbourne” and they are “sorting and cleaning” out another house around the corner also owned by Mr Triggs’ mother.<sup>19</sup>
17. The letter further said that “they” arrived last Tuesday after staying in Rouse Hill, Sydney, for a few days during which she had dinner with Martin Pundyk. Ms Teer also asked Mrs Holding not to “send any more mail until further notice as “we are in the midst of deciding where to stay” and that she was “not sure she’ll stay in Melbourne”. Ms Teer asked her mother to obtain a copy of her birth certificate and thanked her for sending a parcel, which her mother later informed police she had sent care of Kangaroo Ground Post Office.
18. Also in this letter, which is the last known written correspondence from Ms Teer, she writes that she is looking for work and hopes to save enough money to buy a car. Part of her reasoning, it would seem, related to her concerns about hitch-hiking: “Actually I never want to hitchhike again. It is just much to (sic) dangerous and it’s just not worth it”.<sup>20</sup>
19. In his later interview, Mr Triggs was uncertain about whether he travelled with Ms Teer to the Kangaroo Ground or Christmas Hills area during this time. He did recall that he was playing in an Irish music band at the time and remembered spending time in Christmas Hills and reconnecting with friends.<sup>21</sup> Similarly, Ms Clifton remembered staying out at Christmas Hills and Kangaroo Ground.<sup>22</sup> I further note, the more contemporaneous information provided in his initial statement was that during this period they visited friends in that area and Eltham amongst other places.<sup>23</sup>
20. Fabrizio Calafuri also remembered the three visiting at Christmas Hills during this time. He stated:

In what I think was the summer of 1978/1979, Russell TRIGGS had been away from Melbourne fruit-picking and I remember when he returned to the Melbourne area he visited me and Sebastian at our house in Christmas Hills. At the time, he had with him two girls who were both about 17 years old. Both of the girls had dogs. I believe that

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<sup>18</sup> Letter from Ms Teer to Mrs Holding dated 27 August 1979 and postmarked Melbourne, Inquest Brief, pages 208-215

<sup>19</sup> This house was subsequently identified as 10 Darling Street, East Melbourne.

<sup>20</sup> Letter from Ms Teer to Mrs Holding dated 27 August 1979, Inquest brief pages 208-215.

<sup>21</sup> Interview between Mr Triggs and Sergeant Gynther, Inquest Brief, page 342.

<sup>22</sup> Interview between Ms Clifton and Sergeant Gynther, Inquest Brief, page 305.

<sup>23</sup> Statement of Mr Triggs dated 25 November 1982, Inquest Brief, page 273.

Russell had met these girls while away fruit-picking. I remember the timing because I had also recently met my partner, Gwendolyn.<sup>24</sup>

21. Ms Clifton stated that on a Sunday night in late August, early September 1979, Ms Teer had made plans to leave the following morning. Ms Teer spent her last day in Melbourne away from the flat. While she was out, Ms Clifton noticed that almost all of her clothes had gone missing and she suspected Ms Teer had taken them. Accordingly Ms Clifton searched her backpack and located the missing clothes. When Ms Teer returned, an argument ensued and Ms Clifton and Mr Triggs requested that she leave.<sup>25</sup> Although Ms Clifton indicated that she should remain at the flat for the night as planned, Ms Teer was adamant that she wanted to leave that night. The last time they saw Ms Teer was when she left the apartment with her dog, Crosby. Ms Clifton said that she believed Ms Teer was heading home.<sup>26</sup>
22. Mrs Holding believes she received a further phone call from Ms Teer in September 1979 in which they discussed whether or not Ms Teer's tax refund cheque had arrived. Her mother told her that it had not yet arrived but was due any day and that when it did arrive she would put it in Ms Teer's bank account.
23. Towards the end of September 1979, Mrs Holding sent a telegram to Ms Teer, care of Kangaroo Ground Post Office. It indicated her concern for her welfare and requested that she make contact as soon as possible.<sup>27</sup>
24. Mrs Holding went on to state in her interview that within a matter of days after the last phone call with Ms Teer, the tax refund cheque did arrive and on 1 October 1979, Mrs Holding deposited this cheque into Ms Teer's bank account.<sup>28</sup>
25. On 10 October 1979, a copy of Ms Teer's birth certificate was issued at Bourke, NSW and was sent to Mrs Holding. Mrs Holding never forwarded this on to Ms Teer because she did not have an address at that time to which it could be sent.
26. Ms Teer's 18th birthday was on 15 October 1979 and unusually, the date passed with no contact between Mrs Holding and her daughter. Mrs Holding believes that she sent a telegram to Ms Teer at around this time, however did not receive a response.<sup>29</sup>

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<sup>24</sup> Statement of Fabrizio Calafuri, undated, Inquest Brief, page 36.

<sup>25</sup> Interview between Ms Clifton and Sergeant Gynther, Inquest Brief, page 309

<sup>26</sup> See for example, Statement of Mr Triggs dated 25 November 1982, Inquest Brief, page 273; Interview between Ms Clifton and Sergeant Gynther, Inquest Brief, page 322.

<sup>27</sup> Exhibit 1 - Interview between Mrs Holding and Detective Sergeant Fawkner dated 13 July 2010, Inquest Brief, page 130.

<sup>28</sup> Exhibit 1 - Interview between Mrs Holding and Detective Sergeant Fawkner dated 13 July 2010, Inquest Brief, pages 131-133.

<sup>29</sup> Exhibit 1 - Interview between Mrs Holding and Detective Sergeant Fawkner dated 13 July 2010, Inquest Brief, page 135.

27. As the time since Mrs Holding last heard from her daughter grew greater, Mrs Holding became increasingly concerned for her daughter's welfare. She sought advice from a friend in the NSW police, Sergeant Roy Beverstock, who suggested she travel to Melbourne to look for Ms Teer herself before reporting her missing. Mrs Holding says that this advice was based on his opinion that members of Police would most likely consider her a runaway child.<sup>30</sup> Based on this advice, Mr and Mrs Holding commenced their own search for Ms Teer.
28. On approximately 11 December 1979, Mr and Mrs Holding attended the Kangaroo Ground Post Office. Mrs Holding states that the Post Master, Kevin McNamara, told her at this time that he had seen and spoken with Ms Teer. Further, that he remembers having received a telegram addressed to Ms Teer and "the man she [was] with collected the telegram".<sup>31</sup>
29. Mr and Mrs Holding also attended nearby Montsalvat and spoke with residents there because Ms Teer was artistic and they believed that she may have been drawn to such a place. They attended the residence of Neil Douglas whom Mrs Holding said recalled meeting Ms Teer, telling her "that's the girl with the dog".<sup>32</sup>
30. Mr and Mrs Holding also attended the Melbourne address where Ms Teer was last known to have been staying. The house was abandoned and Mr and Mrs Holding located mail addressed to Mr Triggs mother as well as an "IOU note" from Ms Teer to Damien Staude.<sup>33</sup>
31. Upon her return to North Haven after searching for Ms Teer around Melbourne and indeed all over Australia<sup>34</sup>, Mrs Holding reported Ms Teer missing to NSW Police. This appears to have occurred on or around 17 December 1980.<sup>35</sup>

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<sup>30</sup> Exhibit 1 - Interview between Mrs Holding and Detective Sergeant Fawkner dated 13 July 2010, Inquest Brief, page 93

<sup>31</sup> Exhibit 1 - Interview between Mrs Holding and Detective Sergeant Fawkner dated 13 July 2010, Inquest Brief, page 139.

<sup>32</sup> This comment appears to contradict a verbal statement he makes to Detective Sergeant Mason as recorded in Detective Sergeant Mason's report dated the 3 August 1982 (Insert IB page).

<sup>33</sup> Exhibit 1 - Interview between Mrs Holding and Detective Sergeant Fawkner dated 13 July 2010, Inquest Brief, page 135; Evidence of Mrs Holding at Inquest, 10 March 2015. "IOU note" located at pages 292-293 of the Inquest Brief.

<sup>34</sup> Evidence of Mrs Holding at Inquest – 10 March 2015.

<sup>35</sup> Inquest brief, page 225.

## JURISDICTION

32. The suspected death of Ms Teer was initially reported to the State Coroner of New South Wales. On 17 October 2011, then State Coroner of Victoria Judge Jennifer Coate, received a request for assistance from the then NSW State Coroner, Mary Jerram.
33. In 2012, the NSW coronial investigation into the death was closed and the responsibility for the coronial investigation was assumed by the Victorian Coroners Court.
34. I note that in Victoria, a Coroner must investigate a 'reportable death', as defined in section 4 of the *Coroners Act 2008* (the Coroners Act). Pursuant to section 3 of the Coroners Act, a death includes a suspected death. Given the passage of time since there has been any positive evidence that Ms Teer is alive, I consider that there is jurisdiction for me to investigate the disappearance of Ms Teer as a suspected death.

### Nature of the Coroners jurisdiction

35. Section 67 of the Coroners Act requires me to find, if possible, the identity of the deceased, the cause of death, and the circumstances in which the death occurred.
36. The Coroners Court of Victoria is an inquisitorial jurisdiction.<sup>36</sup> The role of the coroner in this State includes the independent investigations of deaths to contribute to a reduction in the number of preventable deaths, the promotion of public health and safety, and the administration of justice.
37. It is not the role of the coroner to lay or apportion blame, but to establish facts.<sup>37</sup>
38. A coroner may comment on any matter connected with the death, may report to the Attorney-General and may make recommendations to any Minister, public statutory authority or entity, on any matter connected with the death, including recommendations relating to public health and safety and the administration of justice.<sup>38</sup>

## CORONIAL INVESTIGATION AND INQUEST

39. Ms Teer's death was subject to a thorough coronial investigation. As part of my investigation, I received information from a number of sources including investigations undertaken by the New South Wales' and Victorian police forces.

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<sup>36</sup> Section 89(4) of the Coroners Act.

<sup>37</sup> *Keown v Kahn* (1999) 1 VR 69.

<sup>38</sup> Section 72(1) and (2) of the Coroners Act.



## NSW Police investigation into the disappearance of Ms Teer

40. The following is a summary of key steps taken to investigate the disappearance of Ms Teer as documented in the NSW Police file:
- A conversation was recorded between Mrs Holding and Detective Sergeant Joel Fawkner on 13 July 2010;
  - Copies were obtained of letters sent from Kim Teer to Mrs Holding dated:
    - 22 January 1979 postmarked Mildura;
    - 28 March 1979 postmarked Renmark;
    - 27 April 1979 postmarked Esperance;
    - 29 May 1979 postmarked Perth;
    - 12 July 1979 postmarked Bowen; and
    - 27 August 1979 postmarked Melbourne.
  - The following documents were sourced:
    - Telegram from Kim Teer to Mrs Holding from Bowen (undated)
    - Birth Certificate for Kim Teer issued at Bourke NSW issued 10 October 1979;
    - Letter from C.J. Barnett (Chief Trust Officer) to Mr Russell Triggs dated 24 October 1979.
    - Handwritten IOU for \$15 from Kim Teer to Damian Staude - unknown date.
  - Requests for Victoria Police to:
    - Conduct an investigation into the whereabouts of Ms Teer (14 August 1981);<sup>39</sup>
    - Interview Mr Triggs;
    - Interview Mr Triggs' mother;
    - Interview the Post Master at Kangaroo Ground; and
    - Identify Neil Douglas of Kangaroo Ground.
  - On 25 November 1982, Mr Triggs and Ms Clifton were found living in Mullumbimby, New South Wales together with their young child. A statement was obtained from Mr Triggs. An interview was also conducted with Ms Clifton.<sup>40</sup>
  - Requests were made for South Australian Police to make enquiries as to the whereabouts of Ms Teer.
  - Dental Records relating to Ms Teer were obtained.
41. The evidence suggests that after approximately 1983, any active investigation into the disappearance of Ms Teer by NSW Police ceased.

<sup>39</sup> Inquest brief, page 234-235

<sup>40</sup> At page 54 of the Inquest brief, Sergeant Gynther noted with respect to this interview: "I refer to a report by Sgt MORTENSON, Mullumbimby Police[...] dated 25 November 1982 (Appendix 29) detailing that a statement was taken from TRIGGS that day. The report also states that a separate interview of CLIFTON took place in which she corroborated TRIGGS. The only copy of this report is partly obscured by another document making it unclear as to whether or not a written account was obtained from CLIFTON."

## **Victoria Police investigation into the disappearance of Ms Teer**

### *Operation 'BELIER' – The Cold Case Taskforce*

42. In addition to assisting NSW Police during the initial years of the early investigation, Victoria Police subsequently opened their own investigation into Ms Teer's disappearance. Sergeant Gynther explained that:

The Cold Case Taskforce - Operation 'BELIER' was commenced in January 2007, in response to recommendations by the State Coroner Mr Graeme Johnstone and the Office of Police Integrity (OPI), to address investigative deficiencies identified during inquests relating to a number of long term missing persons.

It was during Operation 'BELIER' that then Detective Sergeant David BUTLER identified that the case of Kim TEER, who was last seen alive in East Melbourne sometime between August and October 1979 and who was later reported missing to New South Wales Police, should in fact be a Victoria Police investigation.<sup>41</sup>

43. On 16 December 2008, Detective Senior Constable Anthony Combridge recorded a conversation with Ms Clifton about her knowledge of the circumstances surrounding Ms Teer's disappearance.

### *Investigation undertaken by Sergeant Gynther*

44. In October 2011, Sergeant Gynther received the NSW police investigation file and assumed responsibility for the investigation into the death of Ms Teer. Between this time and April 2014, Sergeant Gynther and the Victoria Police Homicide Squad conducted a thorough review of the investigation.
45. On 10 December 2011, Sergeant Gynther, Detective Sergeant Butler and Brad Currie conducted a recorded interview with Mr Triggs in Rapid Creek, Darwin.
46. On 11 December 2011, Sergeant Gynther attended Ms Clifton's home address in Byron Bay and conducted a recorded conversation with Ms Clifton.
47. A number of further inquiries were made in relation to names and addresses contained in the police file from New South Wales. Statements were obtained if the individual had relevant information. A number of individuals could not be located, a number had nothing to add, and a number were not contacted because preliminary investigations indicated that they did not have anything to add to the investigation.
48. In April 2012, an extensive media campaign including television, radio and newsprint about Ms Teer's disappearance was undertaken. As a result of the media campaign, the Australian Federal Police contacted Victoria Police in relation to Mr Wagstaffe who had travelled with Ms Teer in early 1979. A statement was subsequently taken from Mr Wagstaffe on 15 May 2014.

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<sup>41</sup> Exhibit 4 - Statement of Sergeant Phillip Gynther dated 28 August 2014, Inquest Brief page 40.

49. In September 2013, a reward of one-hundred thousand dollars was offered for information leading to the apprehension and subsequent conviction of the person or persons responsible for the death of Ms Teer. Although a number of responses were received, no information provided assisted Victoria Police with their investigation.

#### **Inquest into the suspected death of Ms Teer**

50. On 15 February 2014, the Coroners Court of Victoria received a request for an Inquest from Ms Teer's mother, Mrs Holding. I consider that it was in the public interest to hold an Inquest as part of my investigation and did so on 10 and 11 March 2015.

#### *Witnesses*

51. The following witnesses gave evidence at the Inquest:

- Colleen Holding, Mrs Teer's mother;
- Russell Triggs;
- Sergeant Phillip Gynther; and
- Gwyneth Clifton.

#### *Aspects of the suspected death considered at inquest*

52. In line with my statutory responsibilities, as part of the inquest I explored:

- The possibility that Ms Teer made a decision to cease all contact with her family and friends to start a new life;
- The possibility that Ms Teer's disappearance was the result of the involvement of another person or persons; and
- The nature and sufficiency of evidence that a death has occurred.

53. I now consider the evidence in relation to each of these aspects in turn.

#### **Possibility that Ms Teer made a conscious decision to cease contact with her family and friends to start a new life**

54. One possible explanation for Ms Teer's disappearance is that she made a conscious decision to cease contact with her family and friends. Accordingly, I considered the factors that weighed for and against this hypothesis.

55. One of the factors that weighed heavily against the possibility that Ms Teer had willingly cut contact with her family was the strength of her relationship with her mother. Until her disappearance, Ms Teer appears to have maintained a loving relationship with her mother and kept in regular contact. This is evidenced by the extent to which Ms Teer had previously gone to keep her mother informed about her movements. On one occasion in July 1979 when Ms

Teer obtained a last-minute job on a fishing boat and would not be in touch with her mother for two weeks, she sent an urgent telegram advising her of this.<sup>42</sup>

56. The tone and language of the written correspondence with Mrs Holding is loving and substantiated the strong bond between the two. The letters would often acknowledge and apologise for any delay in writing on Ms Teer's part and expressed a desire to hear from her mother.<sup>43</sup>

57. Mrs Holding was strongly of the view that it was not a valid possibility for Ms Teer to have decided to cut contact. She said:

I think she is dead. Whether it be through an accident, she's definitely not alive. She would've contacted somebody. [...] there's just no way that, no possibility at all that she wouldn't not contacted me especially.<sup>44</sup>

58. Ms Mudford supported this:

Both Kim and I always stayed in touch with our mums while we were away. As soon as we'd arrive somewhere we'd call reverse charges if we had to. [...] That was the first priority. Kim loved her mum and she had no brothers and sisters so they had a fairly close bond.<sup>45</sup>

59. However, when asked specifically by Sergeant Gynther whether she believed it likely that Ms Teer decided to cut all contact, she stated:

Look, it wouldn't surprise me, because Kim was the type of girl who could cut all contact with the world and go and live on a hippie commune, but at the same time it would surprise me because Kim loved her mum and always kept in contact with her.<sup>46</sup>

60. I also considered that, although Ms Teer seemed to have had a tendency to want to be independent and not tied down to a particular location, there was no evidence available to me that indicated Ms Teer would want to start a new life. It is for this reason that I also do not consider suicide to have been a likely occurrence.

### **The possibility that Ms Teer's disappearance was the result of the involvement of another person or persons**

#### *Possible involvement of Mr Triggs and Ms Clifton*

61. Ms Clifton appears to have known Ms Teer for approximately six months to a year in total. At Inquest, Ms Clifton described their relationship as good; they shared an interest in music, they loved each others dogs, and were having a great time being young, free and adventurous.

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<sup>42</sup> Letter from Ms Teer to Mrs Holding dated 12 July 1979 and postmarked Bowen, Inquest Brief, page 203.

<sup>43</sup> See for example, letters dated 28 March 1979 and 24 April 1979, Inquest Brief, pages 176 and 182 respectively.

<sup>44</sup> Exhibit 1 - Interview between Mrs Holding and Detective Sergeant Fawcner dated 13 July 2010, Inquest Brief, page 159.

<sup>45</sup> Statement of Sue Mudford, undated, Inquest Brief, page 23.

<sup>46</sup> Statement of Sue Mudford undated, Inquest Brief, page 23.

62. From the accounts given by Mr Triggs and Ms Clifton, it is believed that sometime between August and October 1979 Ms Teer left the apartment where the three were staying in East Melbourne with her dog and intended to continue her travels. She disappeared shortly thereafter.
63. Given that Ms Clifton and Mr Triggs were the last known people to see Ms Teer, the possibility of their knowledge or involvement in her disappearance was considered. This was so, particularly given the acknowledgement that a heated argument had occurred between Ms Teer and Ms Clifton around the time that she was considered to have disappeared.
64. One factor that may have indicated Mr Triggs' and Ms Clifton's involvement was the appearance of a general vagueness in later interviews in relation to their knowledge of Ms Teer. For example, when Mr Triggs was interviewed by Victoria Police in 2011, his ability to recall the events more than 30 years earlier appeared limited.<sup>47</sup>
65. However, I do not necessarily consider this unusual, given the lapse of time, even at the point of the first interview in 1982, and in light of the lifestyle they were living. Ms Mudford in her statement provided evidence that it would not be unexpected to forget someone from around that time:

We met a lot of people along the way, but people who I've had nothing to do with for the rest of my life. I never got there (sic) addresses or phone numbers. I don't have any photos – we didn't even take a camera with us!<sup>48</sup>

66. In her interview with Sergeant Gynther, Ms Clifton stated:
- She just hitch-hiked off into the wild blue yonder, with her dog Crosby - black and white border collie. And that was the last I saw of her, or heard of her until the police knocked on my door in '81 in Mullumbimby and said that we were perhaps the last people that had seen her.<sup>49</sup>
67. In addition, shortly after Ms Teer is last known to have communicated with her mother, Mr Triggs sold the vehicle in which he drove them to Melbourne. This factor was investigated by Victoria Police however no connection with the disappearance of Ms Teer was apparent.
68. Furthermore, the evidence reveals that there was a possible means of disposing of human remains available to Mr Triggs and Ms Clifton at the time, in the form of his mother's house which was undergoing renovations including digging around the foundations. However, there was no evidence before me to indicate that this occurred.

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<sup>47</sup> See for example Exhibit 3 - Interview between Mr Triggs and Sergeant Gynther, Inquest Brief, page 337.

<sup>48</sup> Statement of Sue Mudford, Inquest brief page 23

<sup>49</sup> Interview between Ms Clifton and Sergeant Gynther, Inquest Brief, page 300.

69. Mrs Holding also considered that the conflicting evidence with respect to time spent in Christmas Hills area was suspicious. In particular, the Post Master, Mr McNamara, initially stated to Mrs Holding that the man [Ms Teer] was with collected the telegram. However, Mr Triggs indicates that if he had picked it up, the Post Master would have been able to refer to him by name as he was well known in the area.<sup>50</sup> In addition, the Post Master later recanted this story, telling Victoria Police that the telegram was never collected.<sup>51</sup>
70. This issue was explored further on the first day of the Inquest. Mr Triggs told the court that because he had been moving around a fair bit, it suited him to keep a permanent post office box in Kangaroo Ground even after he was no longer living there. He noted that although he had no memory of this occurring, it is conceivable and would have been a reasonable thing for Ms Teer to have also used that post office box.
71. There is further conflicting evidence in relation to Neil Douglas. Mr Triggs indicated that Mr Douglas (a known artist in that area at the time) would not have known him by name,<sup>52</sup> however, when questioned by Victoria Police about Ms Teer, he stated to them that Mr Triggs had told him that Ms Teer did not want her mother to know where she was.
72. I note that at Inquest, Mr Triggs and Ms Clifton presented as credible witnesses although it was evident that Ms Clifton had a clearer recollection of the events.
73. Having conducted a thorough investigation into the possibility that Mr Triggs and Ms Clifton had knowledge of or involvement in the disappearance of Ms Teer, Victoria Police advised me that they were not persons of interest and based on the evidence before me and on the balance of probabilities, I agree.

*Possible involvement of other unknown individuals*

74. The most likely possibility is that Ms Teer continued with her practice of hitch-hiking and something untoward occurred. In relation to this practice of hitch-hiking her family and friends had a number of things to say.
75. Hitch-hiking appeared to be integral to the lifestyle Ms Teer was living at the time, and Ms Teer appears to have had a carefree attitude to it. When asked about how Ms Teer would travel, Mrs Holding said that “she was hitch-hiking at some different stages [...] Which terrified the life out

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<sup>50</sup> Exhibit 3 - Interview between Mr Triggs and Sergeant Gynther, Inquest Brief, page 410.

<sup>51</sup> Outcome of discussion with Post Master Kevin McNamara, Inquest Brief, page 262.

<sup>52</sup> Exhibit 3 - Interview between Mr Triggs and Sergeant Gynther, Inquest Brief, page 404.

of me [...]”.<sup>53</sup> However her mother also stated at Inquest that Ms Teer was a sensible girl, not air-headed and she trusted her.

76. At Inquest, Ms Clifton implied that hitch-hiking was a common and accepted form of transport and one which Ms Teer used regularly. She stated that she would not have hitch-hiked without a big protective dog and Ms Teer was of the same mind.

77. Ms Mudford stated that “We hitch-hiked, as everyone did those days”.<sup>54</sup> Ms Mudford also described a number of experiences hitch-hiking with Ms Teer, which provided an indication of the level of danger associated with the practice. For example, shortly after having left home for the first time, Ms Teer and Ms Mudford were taken by four young men to a house that was run down and in Ms Mudford’s words, looked like a drunks’ camp. Although the details were scarce, the evidence of Ms Mudford was that ultimately, they ended up needing to run away and hide in the bush until they believed it was safe.<sup>55</sup> Ms Mudford states: “We just sort of thought “dick heads!” you know, “we’ll be right!”.

78. In a letter dated 29 May 1979 and postmarked Perth, Ms Teer wrote to her mother:

I am going up there with this male he isn’t a boyfriend or anything just a good friend. I think I find more security in male friends than bitching females. Plus it is much better to hitch with a guy. Don’t worry mother dear. I have got my head together and am not liable to do anything stupid.<sup>56</sup>

79. Finally, in the time immediately preceding her disappearance, Ms Teer seemed to realise that her hitch-hiking was potentially placing her in danger. In her final letter to her mother she appears to have potentially foreshadowed her fate, writing: “Actually I never want to hitchhike again. It is just much to (sic) dangerous and it’s just not worth it”.<sup>57</sup>

## **FINDINGS**

### **Identity**

80. I find that the identity of the suspected deceased person is Kim Cherie Mary Teer, born on 15 October 1961. I acknowledge that Ms Teer was also known variously as Kim Nash and Kim Holding.<sup>58</sup>

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<sup>53</sup> Exhibit 1 - Interview between Mrs Holding and Detective Sergeant Fawkner dated 13 July 2010, Inquest Brief, page 123.

<sup>54</sup> Statement of Sue Mudford undated, Inquest Brief, page 18.

<sup>55</sup> Statement of Sue Mudford undated, Inquest Brief, page 19.

<sup>56</sup> Letter from Ms Teer to Mrs Holding dated 29 May 1979 and postmarked Perth, Inquest Brief, page 195.

<sup>57</sup> Letter from Ms Teer to Mrs Holding dated 27 August 1979, Inquest brief pages 213.

<sup>58</sup> Statement of Sue Mudford, undated, Inquest Brief, page 29

### **Cause of death**

81. There have been no 'proof of life' indicators for Ms Teer since her disappearance as verified by checks conducted in relation to a driver's licence, mitochondrial and nuclear DNA, dental records, contact with her mother, bank and Australian Tax Office enquiries, and a general National Police Check.
82. On the basis of the information available to me and on the balance of probabilities, I find that Ms Teer is deceased.
83. No body has ever been located. There is otherwise no information about any circumstances that may have lead to her death. Accordingly, the evidence does not support a finding as to when or how Ms Teer died.
84. I therefore find that the cause of Ms Teer's death is unknown.

### **Circumstances in which the suspected death occurred**

85. I find, on the balance of probabilities that Ms Teer did stay with Ms Clifton and Mr Triggs in East Melbourne and travelled with them on at least one occasion to Kangaroo Ground.
86. Mrs Holding believes that she spoke to Ms Teer by phone a few days prior to the tax return arriving, which she deposited into her bank account on 1 October 1979. This would suggest that Mrs Holding may have spoken to Ms Teer as late as the last week of September and therefore she may have been alive up to 3 weeks after her last known written contact and three weeks after she was last known to have been in Melbourne and was thinking of moving on. However, it is difficult to draw any definitive conclusions about the chronology and timing of these events given that recollection will necessarily have faded over time and there is no objective evidence to substantiate the information. However, on the basis of the evidence available to me, it would seem that Ms Teer was last heard from some time around mid-September 1979.
87. I therefore find that Ms Teer probably died sometime between mid-September 1979 and 1 October 1979 when her tax return was deposited in her bank account and was not subsequently accessed.
88. On the basis of her relationship with her mother and in the absence of any other positive indicators, I find it unlikely that Ms Teer made a decision to cut off ties with her friends and family. Similarly I find it unlikely that Ms Teer's death was the result of suicide.
89. I accept and adopt the opinion of Sergeant Gynther that there is no evidence to establish the involvement of Mr Triggs or Ms Clifton in the disappearance of Ms Teer.




90. Accordingly, I consider it most likely that Ms Teer died as a result of the involvement of an unidentified person or persons, probably whilst engaging in the high-risk activity of hitch-hiking.
91. It is unfortunate that the completeness and accuracy of evidence before me was significantly impacted by the deficiencies in the early investigation of Ms Teer's disappearance. I recognise that this was a product of policing standards and technology at the time and I make no criticism of the police forces or individuals involved. Nevertheless, the upshot of this for Ms Teer and her family is that valuable information was lost and the ability to establish the circumstances of her disappearance all but vanished with her.
92. Finally, I wish to express my sincere condolences to Mrs Holding and her family and acknowledge the grief that they have endured as a result of her disappearance and death. No words will lighten the burden of the loss that you have shouldered for 35 years with no answers.
93. I note that there is provision under section 77 of the Act for the investigation to be reopened in the event that new facts and circumstances become available.

Pursuant to section 73(1) of the Coroners Act, I order that this finding be published on the internet.

I direct that a copy of this finding be provided to the following:

- Mrs Colleen Holding;
- Mrs Mary Hallam;
- New South Wales Police;
- Victoria Police; and
- Coroners Investigator, Detective Sergeant Phillip Gynther.

Signature:

  
Jacqui Hawkins  
Coroner

Date: 11 March 2015

