



IN THE CORONERS COURT  
OF VICTORIA  
AT MELBOURNE

**COR 2022 002855**

**FINDING INTO DEATH WITHOUT INQUEST**

*Form 38 Rule 63(2)*

*Section 67 of the Coroners Act 2008*

Findings of:	Coroner David Ryan
Deceased:	Christos Pittas
Date of birth:	24 October 1951
Date of death:	Between 13 and 17 May 2022
Cause of death:	1(a) Unascertained
Place of death:	Bushland surrounding Dinner Plain, Victoria
Keywords:	Missing Person – suspected death – police search

## **INTRODUCTION**

1. On 13 May 2022, Christos Pittas was 70 years old when he went missing in bushland near Dinner Plain after going for a walk. At the time of his disappearance, Mr Pittas lived in Greensborough with his wife, Teresita Pittas. He is also survived by his children, Costa, Vasilios, Elizabeth and Maria. The mother of his children is Vallary Liapis to whom he had previously been married. He is warmly remembered as an industrious, adventurous and friendly person who loved gardening and walking.

## **BACKGROUND**

2. Mr Pittas was born in Greece and moved to Australia when he was 20 years of age. He had been employed by Yarra Trams for over 45 years. He and Teresita did not have any financial issues.
3. Mr Pittas's medical history included osteoarthritis, a previous hip replacement and he had impaired vision, particularly in his left eye. His family recalled that he was in good health, was a fit person for his age and he walked every day. His General Practitioner reported that there was no history of significant mental illness such as depression, anxiety, psychosis or addiction, and no suicidal ideation.
4. Teresita recalled that her husband had a fall at home around two months before his disappearance where he briefly lost consciousness.
5. Mr Pittas's family recall that he was happy in his relationship with Teresita, embraced life with enthusiasm and was future focused, including with plans to travel to Greece to spend time with his brother.

## **THE CORONIAL INVESTIGATION**

6. On 27 May 2022, Mr Pittas's death was reported to the coroner by Victoria Police as it fell within the definition of a reportable death in the *Coroners Act 2008 (the Act)*. Reportable deaths include deaths that are unexpected, unnatural or violent or result from accident or injury. Under s3 of the Act, death includes suspected death.
7. The role of a coroner is to independently investigate reportable deaths to establish, if possible, identity, medical cause of death, and surrounding circumstances. Surrounding circumstances are limited to events which are sufficiently proximate and causally related to the death. The

purpose of a coronial investigation is to establish the facts, not to cast blame or determine criminal or civil liability.

8. Under the Act, coroners also have the important functions of helping to prevent deaths and promoting public health and safety and the administration of justice through the making of comments or recommendations in appropriate cases about any matter connected to the death under investigation.
9. Victoria Police assigned an officer to be the Coronial Investigator for the investigation of Mr Pittas's death. The Coronial Investigator conducted inquiries on my behalf and submitted a coronial brief of evidence. The Court also obtained a statement from the Victoria Police Search and Rescue Squad (**SAR**).
10. This finding draws on the totality of the coronial investigation into Mr Pittas's death including evidence contained in the coronial brief. While I have reviewed all the material, I will only refer to that which is directly relevant to my findings or necessary for narrative clarity. In the coronial jurisdiction, facts must be established on the balance of probabilities.<sup>1</sup>
11. The coronial investigation of a suspected death differs significantly from most other coronial investigations which commence with the discovery of a deceased person's body or remains. The focus in those cases is on identification of the body or remains, a forensic pathologist's examination and advice to the coroner about the medical cause of death and, where possible, the circumstances in which the death occurred.
12. Absent a body or remains, the coronial investigation focuses on the last sighting of the person suspected to be deceased; any subsequent contact with family, friends or authorities; and any evidence of proof of life since the last sighting. In such cases, the coronial investigation must first endeavour to establish, on the balance of probabilities, whether the person suspected to be deceased – is deceased. Such proof of death often relies on the absence of evidence that the person is alive, such as: physical searches for the person; a lack of contact with known friends, family or colleagues; a lack of banking or like activities; and the lack of an “*electronic footprint*” that is usually evident with innumerable modern everyday activities. It also relies

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<sup>1</sup> Subject to the principles enunciated in *Briginshaw v Briginshaw* (1938) 60 CLR 336. The effect of this and similar authorities is that coroners should not make adverse findings against, or comments about, individuals unless the evidence provides a comfortable level of satisfaction as to those matters taking into account the consequences of such findings or comments.

on other circumstantial evidence such as the prevailing environmental conditions and the individual attributes of the person suspected to be deceased, including their state of health.

## CIRCUMSTANCES OF DISAPPEARENCE

13. On 8 May 2022, Mr Pittas and his wife travelled to Dinner Plain where they booked into a chalet at the Wyndham Resort (**Wyndham**). They had planned to stay until 15 May 2022.
14. On 9 May 2022, they drove to Omeo, returning to Dinner Plain in the afternoon after which Mr Pittas went for a walk. For the next three days, Mr Pittas adopted a routine of going out for a walk in the morning and afternoon, leaving from the chalet. Teresita recalled that he took with him a map of the Dinner Plain area.
15. On 13 May 2022, Mr Pittas went for a walk in the morning. Janice and Davin Hopper recalled seeing him that morning at the JB Plain Hut, about two kilometres west of Dinner Plain. When Mr Pittas returned to the chalet he had lunch with Teresita, which consisted of pie, red wine and coffee. They then played scrabble together and Mr Pittas spent some time on a Sudoku puzzle before leaving to go on his afternoon walk. Teresita recalled that he left at around 2.45pm.
16. When Mr Pittas left for his walk, Teresita recalled that he was wearing a dark blue hooded jumper, blue jeans and runners. He left behind the map of Dinner Plain that he had taken with him on previous walks. He was wearing his watch but he left his wallet and mobile phone behind. Mr Pittas did not tell Teresita where he was going but, consistent with his usual routine, she expected him back at around 4.30pm.
17. In the afternoon, Kelsey Pettifer and her partner, Jack Ralph were returning to Dinner Plain from a walk to Mount Tabletop. Soon after they passed JB Plain Hut, they passed an “*older man aged in his late 60s, with short, straight, salt and pepper coloured hair*”. She recalled that he appeared fit and not in any distress. She and her partner arrived back in Dinner Plain about 30 minutes later. After being shown a photograph of Mr Pittas by police, Mr Ralph stated that he was “*85% sure*” that he was the man that they had seen on their walk.
18. At around 4.40pm, Travis Boyle was running west along the Brabralung Trail<sup>2</sup> from Dinner Plain when he came across an “*older*” Caucasian male who was walking in the same direction. He recalled that the man appeared to be “*walking fine*” and “*was dressed appropriately for*

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<sup>2</sup> The Brabralung Trail is a 26 kilometre walking trail between Dinner Plain and Mount Hotham which passes JB Plain Hut.

*the conditions*". Mr Boyle saw him again about an hour later when he was returning along the trail to Dinner Plain. The man was also walking in the direction of Dinner Plain. Mr Boyle did not have any concerns for the man and "*believed he would have made it back to Dinner Plain shortly if he kept walking at his pace*".

19. At around 6.00pm, Teresita became concerned after her husband had not returned from his walk. She contacted staff at the Wyndham who then contacted emergency services at around 6.30pm.
20. Staff at the Wyndham, Victoria Police and the State Emergency Services (SES) commenced searching for Mr Pittas that evening. His family also travelled to Dinner Plain the next day and joined in the search.

## **MISSING PERSONS INVESTIGATION**

### **The initial search**

21. The SAR became involved in the search for Mr Pittas at around 7.00pm on 13 May 2022. They were responsible for coordinating the search. Given the extreme terrain surrounding Dinner Plain, they assessed Mr Pittas to be a "*high risk*" missing person which required an urgent search and rescue response. The Mount Hotham Police Station was established as the Forward Command Post with the Officer in Charge of the Bright Police Station being appointed as the Forward Commander.<sup>3</sup>
22. Police began their search in the evening on 13 May 2022 by searching the walking trails surrounding the Wyndham and driving along all of the nearby roads and tracks, intermittently operating their emergency lights and sirens. They also used handheld thermal scanning technology. The overnight weather recorded a low temperature of seven degrees Celsius, eight millimetres of rain and winds of 50 kilometres per hour. These conditions prevented the police helicopter and other air assets from being deployed.
23. In the morning on 14 May 2022, in addition to members of Victoria Police, the SES and staff at the Wyndham, SAR arranged for members of the Bush Search and Rescue agency (BSAR) to assist in the search. BSAR are a specialist volunteer group who are available to provide assistance in difficult off-track bush searching and it included a number of alpine specialists.

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<sup>3</sup> Statement of Senior Constable Joel Magno-Thornton dated 15 April 2024.

Assistance was also requested from Parks Victoria, the Mount Hotham Ski Patrol and Ambulance Victoria.

24. Teams of searchers were organised to search all of the walking tracks marked on the Dinner Plain Tracks & Trails map, including the Brabralung Trail and the JB Plain area. Search data was recorded on an electronic mapping system using Global Positioning System (GPS) technology from devices issued to the search teams.
25. By around 12.00pm, the police helicopter was on the scene and had been tasked with searching out to a five kilometre radius of Dinner Plain. The Mounted Branch of Victoria Police were also contacted to provide assistance.
26. Other tasks completed as a high priority on 14 May 2022 included reviewing relevant CCTV footage, a door knock of the properties in Dinner Plain, a search of the huts in the Dinner Plain and Mount Hotham areas and arranging a media release to gain information from any potential witnesses.
27. As Mr Pittas had not been located by the afternoon, the focus of the search moved off the tracks and trails and into the bush and grassland areas which were noted to be very thick and rugged.
28. The search continued on 15 May 2022 with approximately 122 searchers and volunteers (now also including members of the Country Fire Association).
29. At around 12.15pm, SAR obtained advice from Dr Paul Luckin who specialises in time frame survival in missing persons' cases. He assessed that Mr Pittas may have still been alive but there was a high possibility that he would have been immobile. He further advised that Mr Pittas may not survive a further night in the alpine environment unless he was able to find shelter.
30. The search continued on 16 May 2022 with approximately 130 searchers and volunteers. The search extended out to a 10 kilometre radius of Dinner Plain. Some areas were deemed unsafe for searches due to cliffs or extremely rocky terrain.
31. The search continued on 17 May 2022 with approximately 113 searchers and volunteers. The Police Drone Unit was also deployed. The weather deteriorated overnight with 10 centimetres of snow and freezing temperatures.

32. On 18 May 2022, the poor weather conditions prevented the deployment of general search teams as a result of the risk of hypothermia, equipment issues and injury. Accordingly, 25 alpine qualified search personnel were deployed and their tasks included a line search of the JB Plain area. The police helicopter and drone units were unable to fly due to the high winds and freezing conditions.
33. Members of Victoria Police met with Mr Pittas's family during the day to provide them a briefing and gain further relevant information.
34. On 19 May 2022, the weather had improved and the search continued with 25 searchers in the field. They continued to be assisted by the police helicopter and drone units, together with Victoria Police motorbike units.
35. On 20 May 2022, the search for Mr Pittas continued for its final day (day 8) with 20 searchers in the field. Despite the commendable efforts of everyone involved, including many volunteers, Mr Pittas had not been located.

#### ***Proof of life checks***

36. Victoria Police analysed Mr Pittas's mobile phone data, social media accounts, web browser history and bank accounts which did not disclose any activity after his disappearance. Investigators did not locate any evidence to suggest that Mr Pittas was organising his affairs or that he was suffering from any mental illness.
37. Australian Border Force confirmed that, since his disappearance, Mr Pittas had not departed Australia using his passport.
38. In response to media reports, a number of information reports were submitted to Victoria Police by members of the public regarding possible sightings of Mr Pittas or the location of his remains. Each of these reports was investigated by Victoria Police and, apart from the witness accounts identified earlier in this finding, they were confirmed not to relate to Mr Pittas.
39. Victoria Police did not identify any evidence of suspicious circumstances relating to Mr Pittas's disappearance.

### ***Subsequent searches***

40. Between 25 and 27 May 2022, a search was conducted by members of SAR with the assistance of two cadaver dogs and their handlers from New South Wales Police. They covered approximately 30 kilometres per day and searched the areas surrounding Dinner Plain.
41. Between 12 and 14 September 2022, members of SAR attended the Dinner Plain area and continued the search for Mr Pittas. A further search which had been arranged to commence in late October 2022 had to be cancelled due to the SAR assets being required to be deployed to respond to extreme flooding across Victoria.
42. On 10 February 2023, members of Victoria Police met with Mr Pittas's family to discuss the search effort in its entirety.
43. Between 3 and 6 April 2023, a further search was conducted of areas surrounding Dinner Plain by members of SAR with the assistance of two cadaver dogs and their handlers from New South Wales Police. The search focused on the Room with a View Lookout and the Weeping Rock areas.<sup>4</sup>
44. Between 22 and 25 August and 8 and 11 October 2023, members of SAR attended the Dinner Plain area and conducted a further search for Mr Pittas. The searchers focused on areas which were difficult to access and which had been subject to limited previous searching.

### ***Search challenges***

45. Senior Constable Joel Mango-Thornton from SAR had been appointed the search co-ordinator throughout the search for Mr Pittas and he also actively participated in the search in the field. He provided a comprehensive statement to the Court which described in detail the efforts made by Victoria Police to locate Mr Pittas. Relevantly, he made the following comments in relation to the difficulties associated with the search effort:
  - *“The area surrounding Dinner Plain consists of large areas of thick bush, steep and sheer cliff faces, areas that encompass large rocky boulders and waterfalls as well as open grassy plains.*

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<sup>4</sup> The Room with a View Lookout is around 1.5 kilometres north of Dinner Plain and Weeping Rock is around 3 kilometres west of Dinner Plain.



- *The tree canopy in the majority of this area is thick which limits the effectiveness of searching from the air.*
- *The weather during the initial few hours of the search was extremely bad. With high wind, rain, and very low cloud, this prevented the use of an air asset using infrared technology on the first night.*
- *The weather in the following days after [Mr] PITTAS went missing was very cold and unfavourable. Potentially leading to very early hypothermia and [Mr] PITTAS taking shelter in a place unknown.*
- *There is a high potential that [Mr] PITTAS has either become lost or injured whilst off track and in the Bush.*
- *A total of approximately 27 days of searching have been completed trying to locate [Mr] PITTAS. Hundreds of Police, and other Search & Rescue assets have been deployed into the field in the search for [Mr] PITTAS, along with a very large number of spontaneous volunteers offering their assistance.*
- *The type of terrain that encompasses the search area is very difficult and challenging to successfully and thoroughly search on foot due to endless ground hazards.*
- *I believe there may be a high possibility that Christos PITTAS has become lost in the darkness and bad weather on the evening of the 13<sup>th</sup> of May 2022 after walking off a track. He has then been unable to find his way back to the track which has led him to continue walking downhill away from Dinner Plain. This has potentially led him to secrete himself under some sort of shelter in a place unknown where he remains today.”*

## **FAMILY CONCERNS**

46. Teresita wrote to the Court expressing the family’s concern about the failure of Victoria Police to use “*tracker*” dogs in the search for Mr Pittas.
47. Victoria Police currently has a specific search and rescue dog capability within the Dog Squad. Police dogs are trained to identify and track scent disseminating from living people. It is significantly more difficult for a police dog to locate a person after death as their scent changes. Victoria Police is currently assessing the practicality and viability of establishing a Human Remains Detection (cadaver) dog capability. In the meantime, they continue to utilise other resources, including those of New South Wales Police.

48. In his statement to the Court, Senior Constable Mango-Thornton explained that the Dog Squad had not been deployed during the initial search for Mr Pittas for a number of reasons, including the extreme weather conditions (high winds, freezing temperatures, rain and snow) and because of the contamination of the search area by the large number of people participating in the search each day.
49. In the circumstances, given the prevailing weather conditions, I consider that it was reasonable for Victoria Police early in their search to prioritise the availability and use of personnel from various services (together with volunteers) over the use of the Dog Squad which would have been ineffective if deployed together with a large number of searchers.

## **FINDINGS AND CONCLUSION**

50. I am satisfied that Mr Pittas is deceased. Further, I am satisfied that there are no further avenues of investigation reasonably open at this stage to elicit further evidence about the cause and circumstances of his death.
51. The evidence does not enable me to be satisfied as to the exact circumstances or cause of Mr Pittas's death. I am satisfied that at some stage in the evening on 13 May 2022, he has left the track upon which he was walking, possibly the Brabralung Trail, whereupon he has become lost or injured and passed away from exposure to the elements. It is also possible that he suffered an unexpected medical event. There is no evidence to support a finding that any third party was involved in Mr Pittas's death or that he may have taken his own life. Given the weather conditions, it is likely that Mr Pittas would have been deceased by 17 May 2022.
52. Pursuant to section 67(1) of the Act, I make the following findings:
  - a) the identity of the deceased was Christos Pittas, born 24 October 1951;
  - b) the death occurred between 13 and 17 May 2022 in bushland surrounding Dinner Plain, Victoria, from unascertained causes; and
  - c) the death occurred in the circumstances described above.
53. It is acknowledged that the fact that Mr Pittas has not been found is very distressing for his family and they have not had an opportunity to have greater clarity in relation to the exact circumstances of his passing.

Pursuant to section 73(1B) of the Act, I order that this finding be published on the Coroners Court of Victoria website in accordance with the rules.

Pursuant to section 49(2) of the Act, I direct the Registrar of Births, Deaths and Marriages to record Mr Pittas's death, and note his cause of death as "*1(a) Unascertained*".

I convey my sincere condolences to Mr Pittas's family for their loss.

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

Teresita Pittas, Senior Next of Kin

Chief Commissioner of Police

Detective Senior Constable James Nelson, Coroner's Investigator

Signature:



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Coroner David Ryan

Date : 16 September 2024

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NOTE: Under section 83 of the *Coroners Act 2008* ('the Act'), a person with sufficient interest in an investigation may appeal to the Trial Division of the Supreme Court against the findings of a coroner in respect of a death after an investigation. An appeal must be made within 6 months after the day on which the determination is made, unless the Supreme Court grants leave to appeal out of time under section 86 of the Act.

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