



## STATE CORONER'S COURT OF NEW SOUTH WALES

<b>Inquest:</b>	Inquest into the death of Robert Taylor
<b>Hearing dates:</b>	5 August 2016
<b>Date of findings:</b>	5 August 2016
<b>Place of findings:</b>	State Coroners Court, Glebe
<b>Findings of:</b>	Magistrate Harriet Grahame, Deputy State Coroner
<b>Catchwords:</b>	Coronial Law- Undetermined cause of death
<b>File number:</b>	2015/172115
<b>Representation:</b>	Samantha Ferguson, Coronial Law Advocate – Advocate assisting the Coroner
<b>Findings:</b>	On the balance of probabilities, I find that Robert Taylor died on or shortly before 10 June 2015 at his home at 65 A Arina Road, Bargo NSW 2037. The cause and manner of his death remains unknown.

## REASONS FOR DECISION

1. This inquest concerns the death of Robert Taylor.
2. An inquest is intended to be an independent examination of all the available evidence in relation to the circumstances of a person's death. The Act requires a Coroner to make findings as to the identity of the nominated person and in relation to the date and place of death. The Coroner is also to examine the manner and cause of the person's death.<sup>1</sup>
3. Section 81 (1) of the *Coroners Act 2009* requires that when an inquest is held, the coroner must record in writing his or her findings in relation to the death.
4. These are my findings.

### Introduction

5. Robert Taylor was 48 at the time of his death. He had been an inter-state truck driver for many years. He was close to his family, especially his mother with whom he regularly stayed on his trips between NSW and Victoria. His friends described Robert as a quiet man who cared deeply for his family. Robert's sister, Susan spoke eloquently at the inquest about Robert's kindness and humour. He was clearly extremely loved and is greatly missed.<sup>2</sup>
6. In November 2014 Robert's partner of many years, Linda, died of cancer. Shortly afterwards his step-daughter Erin went to live with her biological father and that family made it difficult for Robert to contact her. Both events were very distressing for Robert. Sometime in early 2015 Robert struck up a relationship with Shirley Maclean.

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<sup>1</sup> Section 81 *Coroners Act 2009* (NSW)

<sup>2</sup> Susan Taylor's family statement at inquest 5/8/2016

Robert and Shirley had already known each other for some years as she had previously been involved with Robert's friend, Richard Starr.

7. For a short while Robert and Shirley lived together at Robert's house and he was apparently hopeful that they had a future together. However, around the end of May 2015 Shirley realised that she still had unresolved feelings for Richard Starr and she broke off her intimate relationship with Robert. In early June Shirley stayed back at Richard's house and they went away together on a trip to Sydney. It is clear, reading text messages between Robert and Shirley from this time, that Robert found the change in their relationship difficult.<sup>3</sup>
8. On 9 June 2015, Robert did not attend for his regular shift at work. This was entirely out of character. He had last been seen by a workmate on 6 June 2015. His work mates remained unable to contact him despite numerous attempts. On 10 June 2015 they were so concerned they contacted police.<sup>4</sup> Police attended Robert's house at Bargo that morning. They were assisted by the Rural Fire Brigade to gain entry. Once inside police found Robert in his bed. He was already dead.

### **The Evidence**

9. The inquest was held on 5 August 2016 and commenced with oral evidence from the officer in charge, Senior Constable Canham. She oversaw the investigation and took statements from a number of witnesses. Documentary evidence was also tendered including the letter found beside Robert at the time of his death, witness statements, photographs and the autopsy report. Susan Taylor made a brief family statement expressing, among other things, how deeply the family missed Robert.

### **Discovery of Robert's body**

10. When police found Robert he was lying in bed with a blanket pulled up to his neck. Police immediately noticed that his body was cold and that his skin was a bit blue in colour. Ambulance officers later confirmed that he had been dead for "a number of hours"<sup>5</sup> and there were no attempts at resuscitation.

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<sup>3</sup> See Statement of Shirley Maclean, Exhibit 1, Tab 9 and content of text messages at Tab 17

<sup>4</sup> Statement of William Carpenter, Exhibit 1, Tab 8.

<sup>5</sup> Statement of S/C Canham, Exhibit 1, Tab 6

11. Sergeant Morrisby apparently pulled the covers slightly off Robert's side and saw a pen and handwritten document on the bottom sheet near his arm or chest area.<sup>6</sup> That document was later taken and preserved as evidence.
12. The house was in a neat and orderly state and no drugs or suspicious items were uncovered.
13. While police were securing the scene, Shirley Maclean arrived. She told police that Robert knew she was coming to collect some of her property which was still at his house. She had expected that Robert would be away on his regular work trip. Once she found out that Robert was dead she became very upset and started crying. She told police she believed that Robert must have wanted her to find him as he knew she was coming that day.<sup>7</sup>
14. Police were concerned about Shirley Maclean's welfare as she was very upset and so they advised her to call her partner, Richard Starr to come and collect her. When Richard arrived he told police that he had known Robert for eight or nine years. Richard said that Robert was a quiet man who did not express his feelings openly. Nevertheless, Richard was aware that Robert had been struggling since the death of his former partner, Linda and the subsequent breakdown in his relationship with his step daughter. Richard told police that Robert had been very close to his step daughter who he had helped raise since she was a baby
15. Richard Starr later formally identified Robert's body.<sup>8</sup>

#### **The note found near Robert's body**

16. The note<sup>9</sup> found with Robert was not addressed to anyone by name, but commenced "Hi Baby". Shirley Maclean told police that this was the name Robert addressed her by and that he always called his step daughter Erin, "Princess".<sup>10</sup>

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<sup>6</sup> Statement of S/C Canham, Exhibit 1, Tab 6

<sup>7</sup> See Statements of S/C Canham and statement of Shirley Maclean, Exhibit 1, Tabs 6 and 9

<sup>8</sup> Identification statement, Exhibit 1, Tab 4

<sup>9</sup> "The note" Exhibit 1, Tab 16

<sup>10</sup> Statement of Shirley Maclean, Exhibit 1, Tab 9

17. Although referred to by police as a “suicide note” the content of the note does not in my view express an unambiguous intention to self-harm. Given the known background of recent relationship problems, the document can also be read as a “break-up note”.
18. It reads “ Hi Baby sorry just want to say it one more time and that you were loved and care about very much – I did want you Im sorry that you think I was pushing you away I would have done anything for you – There is so much that I want to do for you and with you – I hope I did make you happy some of the time I wish I could get the happy you back – Im sorry it did not work out – Im wot(?) you for you just the way you are – you are a good person and not let anyone tell you that you are not – I just want more than you – I miss you very much – Bye Baby – Love Robbie xxxx” (some punctuation added)
19. I have considered the possibility that the note was for Erin, particularly as it was discovered on her 16th birthday, however, in my view this is unlikely. She had not seen Robert for some time and there are aspects of the letter which make little sense in the context of their relationship. I also note that Shirley produced to police a love letter that Robert had given her during the course of their relationship that is similar in some respects and that refers to Shirley as “Baby”<sup>11</sup>.
20. In my view, the letter was most likely meant for Shirley Maclean. However, whether it was written as a final goodbye or as a “break up” letter cannot be determined.

#### **What had been happening in Robert’s life prior to his death?**

21. Clearly at the time of his death Robert had been going through a difficult period. The text messages between him and Shirley in the days leading up to his death are evidence of this. Richard Starr also gives evidence that Robert had been struggling. It may be that Robert was depressed, although there is no evidence that he had ever been diagnosed or sought help for this condition. His family were not aware of any medical problems Robert may have had, nor had they seen evidence of depression.<sup>12</sup> However, there appear to have been a number of issues weighing him down including the death of his former partner, Linda and the loss of contact with her child, with whom he had been

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<sup>11</sup> Note to Shirley Maclean, Exhibit 1, Tab 9

<sup>12</sup> Statement of Susan Taylor, Exhibit 1, Tab 12 and contents of family statement given on 5/8/2016

close. More recently the failing of his new relationship with Shirley Maclean was also a factor.

22. Robert's sister Susan Taylor<sup>13</sup> told police that Robert may have had financial worries. In 2010 Robert had borrowed \$50 000 from Linda to buy a truck. Unfortunately the business did not succeed and the money was lost. Susan had evidence that Linda's estate was trying to recover this debt. She was also concerned that Linda's brother may have been hassling Robert for the money before he died. Linda's brother Rodney Avery supplied a statement to police confirming that Linda's estate had requested the return of monies owed. He said these requests were handled by lawyers. He told police that he had last seen Robert in the days after Linda's funeral. He expressed shock when he heard of Robert's death.<sup>14</sup>
23. Susan Taylor was concerned that Robert could possibly have been a victim of crime, that he could have been attacked in his own home which was often unlocked. However, there is no forensic evidence to support this theory and there was no sign of disturbance or theft from Robert's home. Equally, there is no evidence that the scene had been tampered with or that anything had been removed prior to the arrival of police.

### **The Autopsy**

24. Robert's body was taken to the Glebe Mortuary. An autopsy was conducted on 12 June 2015.<sup>15</sup> The results of the autopsy were inconclusive. Mild pulmonary congestion was noted, but no gross pathological abnormality was identified. Histology showed mostly autolytic tissue which hindered interpretation.
25. There were dark granules in the gastric contents which were subjected to testing, with no result. Similarly, all toxicological blood testing returned a negative result.
26. In these circumstances, the medical cause of death remains unknown. There was no evidence of trauma or wounding. There were no findings consistent with suffocation or struggle

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<sup>13</sup> Statement of Susan Taylor, Exhibit 1, Tab12

<sup>14</sup> Statement of Rodney Avery, Exhibit 1, Tab 13

<sup>15</sup> Autopsy Report for the Coroner, Dr Amandeep Singh. Exhibit 1, Tab 2

### **Did Robert commit suicide?**

27. It is certainly possible that Robert was depressed in the period before his death. However, there is no clear suicide note and no evidence that Robert had ever told anybody that he would harm himself. Equally there is no evidence of drug toxicity or anything else which might suggest a self-inflicted death. As the evidence stands, both the medical cause and the circumstances surrounding his death remain a complete mystery.

### **Findings**

28. On the balance of probabilities, I find that Robert Taylor died on or shortly before 10 June 2015 at his home at 65A Arina Road, Bargo NSW 2037. The cause and manner of his death remains unknown.

I acknowledge that the continuing lack of certainty in relation to the cause and manner of Robert's death would be particularly distressing to those close to him.  
I offer my sincere condolences to his family and friends.

Magistrate Harriet Grahame  
Deputy State Coroner  
5 August 2016