



**STATE CORONER'S COURT
OF NEW SOUTH WALES**

Inquest: Inquest into the suspected death of missing person Paul Sekeres

Hearing dates: 20 December 2018

Date of findings: 11 January 2019

Place of findings: NSW State Coroner's Court, Glebe

Findings of: Magistrate Derek Lee, Deputy State Coroner

Catchwords: CORONIAL LAW – missing person, cause and manner of death, unsolved homicide

File numbers: 2013/372412

Representation: Mr B Hart, Coronial Advocate Assisting the Coroner

Findings: I find, on the balance of probabilities, that Paul Sekeres is now deceased. He died on, or sometime after, 30 January 2012. However the available evidence does not allow for any finding to be made as to where Paul died, or the cause and manner of his death.

Recommendations: I recommend that the death of Paul Sekeres be referred to the Unsolved Homicide Unit of the NSW Police Homicide Squad for further investigation in accordance with the protocols and procedures of the Unit.

Table of Contents

Introduction.....	1
Why was an inquest held?.....	1
Paul's life.....	1
What is known about Paul's criminal history?	2
What is known about the events of 30 January 2012?	2
What is known about the events in the period following 30 January 2012?.....	3
What inquiries did the police make?.....	3
Is Paul still alive? If not, what was the cause and manner of his death?	4
Findings.....	5
Identity	5
Date of death	5
Place of death.....	5
Cause of death	5
Manner of death	5
Epilogue	5

Introduction

1. Paul Sekeres spoke to his wife on the phone on the evening of 30 January 2012. Since this phone call Paul has not been heard from. It has now been almost seven years since Paul was last seen alive. After Paul was reported as missing, the police conducted an extensive investigation in an attempt to discover what happened to him. Despite pursuing multiple lines of enquiry, there are still many unanswered questions surrounding the events following Paul's final phone call to his wife.

Why was an inquest held?

2. Shortly after Paul was reported as missing, NSW Police notified the Coroner's Court that he was suspected of being deceased. When the case of a missing person, who is suspected to have died, is reported to a coroner, the coroner must decide from the available evidence whether that person has in fact died. In such cases there will often be very little information, despite extensive enquiries, about what happened to the person after they were last seen alive.
3. If the coroner forms the view that a missing person has died then the coroner has an obligation to make findings in order to answer questions about the identity of the person who died, when and where they died, and what the cause and the manner of their death was. The manner of a person's death means the circumstances in which that person died. If the coroner is unable to answer these questions then an inquest must be held.¹
4. In Paul's case, although a large amount of evidence was gathered by the police concerning the circumstances surrounding the period leading up to when Paul was last seen alive, none of this evidence was able to reveal exactly what happened to Paul after 30 January 2012. As it has not been possible to answer the questions that a coroner is required to answer, it became mandatory for an inquest to be held.

Paul's life

5. As will be discussed later in these findings, all of the evidence gathered to date suggests, tragically, that Paul is now deceased. Inquests into the deaths of persons, even those persons who are missing and suspected of being deceased, usually only focus on the last moments of a person's life, or the last moments when they were seen alive. These moments are sometimes measured in weeks or months, but more often they are measured in hours and days. As a consequence, often there is very little known about the (usually) years of life that preceded these final moments. Therefore, it is appropriate at this stage to recognise Paul's life in a brief, but hopefully meaningful, way.
6. Paul was born in Western Australia to Josef Sekeres and Beverly Wanstall. He had three siblings: two brothers (Steven and Joseph) and a sister (Julie Ann).
7. In 1994 Paul met his future wife, Tamara. They spent some time travelling and later married in September 1996 in The Netherlands, where Tamara was originally from. After spending a short period in The Netherlands, Paul and Tamara returned to Perth in 1997. Later they moved to Sydney,

¹ *Coroners Act 2009*, section 27.

living first in Maroubra and then Riverwood, before ultimately settling in Kingsgrove. Paul and Tamara later had two children: a daughter, Jaimee, and a son, Yarran.

8. There is no doubt that Paul is greatly missed by his family. The fact that there has been much uncertainty surrounding what happened to Paul has inevitably made the sense of loss felt by his family even more distressing.

What is known about Paul's criminal history?

9. Records reveal that Paul was involved in criminal activity at a young age during the period that he lived in Western Australia. He was engaged in dishonesty and drug-related offences. It appears that this early involvement in criminal activity also, unfortunately, formed part of the later years of Paul's life.
10. While Paul had previously worked in the building industry it appears that from at least 2009 he was involved in criminal activity concerning the manufacturing of illicit drugs. Whilst Paul maintained to his wife that he remained involved in the building trade, evidence gathered by the police suggests that this was merely a cover story told by Paul to conceal the true nature of his unlawful enterprises.
11. The evidence indicates that Paul's enterprises were conducted with Andrew Daly, who Paul had met sometime after he moved to Riverwood. The two men became friends and, eventually, business partners. Together they leased a number of industrial premises. Evidence gathered by police indicates that Paul and Mr Daly were involved in drug manufacturing and purchased a large amount of equipment to conduct this activity. Further evidence indicates that the drug manufacturing process involved the purchased equipment being stored in a large shipping container which was moved between the different premises leased by Paul and Mr Daly. Whilst the precise nature of the enterprise involving Paul and Mr Daly is not known, police strongly suspect that Mr Daly was the main participant in the drug manufacturing process.

What is known about the events of 30 January 2012?

12. Whilst at home on the evening of 30 January 2012 Paul disclosed to Tamara that he had been involved with drugs, gambling and other unlawful activity. Understandably upset by this news, Tamara left home briefly in order to attempt to comprehend what she had been told. Approximately 15 minutes later Tamara returned home and found that Paul was not there. She noticed that Paul's car, a white Holden Rodeo utility, and his mobile phone and wallet were also not at home.
13. At about 8:30pm Paul called Natalia Ors, Tamara's best friend. Paul told Ms Ors that he had "*fucked up*" and that Tamara would be in need of some support.
14. Paul later called Tamara at about 10:30pm. Paul expressed how sorry that he was but Tamara told him that she was too upset to talk to him. Paul said that he would call her back the next morning. This was the last known call made from Paul's mobile phone.

What is known about the events in the period following 30 January 2012?

15. On 1 February 2012, Mr Daly rented a 3 tonne Pantech truck from Campbelltown. On 5 February 2012 mobile phone reception towers indicated that Mr Daly's mobile phone was in the vicinity of remote locations in the early hours of the morning
16. Sometime between March and May 2012, Mr Daly visited Tamara and told her he was aware that Paul had lost his Holden Rodeo due to gambling debts of around \$10,000. Mr Daly also said that he had made contact with persons who were aware of where Paul's car was located. On Mr Daly's account he later saw Paul's car in Narellan. Mr Daly later made arrangements to take Tamara to where the car was located in order to retrieve it.
17. In April 2012 the owner of the one of the industrial premises leased by Paul and Mr Daly noticed that rental payments, which had previously been made on a regular basis, had stopped. The owner subsequently went to inspect the premises and noticed that a number of alterations had been made to its interior. These alterations included the installation of an industrial exhaust fan, added security and privacy measures, the installation of partitions in order to prevent persons from being able to look into the premises, and the removal of tap fittings from a shower area.
18. On 30 July 2013 Paul's brother, Joseph (who was living in Western Australia at the time), contacted police to advise that he had not seen or heard from Paul since January 2012, and reported him as missing. This prompted local police in NSW to speak to Tamara, who provided information regarding when Paul was last seen and heard from on 30 January 2012. Tamara also explained that she had been reluctant to reporting Paul as missing to police due to fears of repercussions for herself and her children arising from what Paul had disclosed to her about his past unlawful activity.

What inquiries did the police make?

19. Following the report of Paul as missing, investigating police pursued a number of lines of enquiry in an attempt to determine what happened after 30 January 2012, and whether Paul was still alive or deceased. These enquiries included:
 - (a) Conducting what are commonly referred to as "signs of life checks" with a number of government departments (such as Medicare, Centrelink) and local and interstate law enforcement databases for any records or activity to suggest that Paul was still alive;
 - (b) Conducting a forensic examination of Paul's Holden Rodeo utility which was subsequently recovered and seized by the police;
 - (c) Obtaining Paul's dental records so that a forensic dental comparison could be performed against a number of unidentified human remains;
 - (d) Obtaining a DNA sample from Paul's son so that comparative DNA testing could be performed against samples taken from a number of unidentified human remains;
 - (e) Conducting a forensic examination of the Pantech truck rented by Mr Daly on 1 February 2012;

- (f) Conducting a forensic examination of one of the industrial premises leased by Paul and Mr Daly in which samples taken from the premises tested positive for a number of illicit drugs, including methylenedioxymethylamphetamine and heroin;
 - (g) Examining Paul's financial activity which revealed that he had a bank account in his own name, and not known to Tamara, into which various cash deposits totalling over \$28,000 had been made between November 2011 and January 2012;
 - (h) Examining call charge and reverse call charge records relating to a number of mobile phone accounts held in Paul's name, and the accounts of persons who were in phone contact with Paul before he was reported missing;
 - (i) Speaking with a large number of Paul's family members, friends and known associates.
20. Regrettably, none of the above lines of enquiry produced any definitive evidence as to what happened to Paul after 30 January 2012.

Is Paul still alive? If not, what was the cause and manner of his death?

21. A finding that a person is deceased is a finding of great significance and gravity, not only for the family members of that person and the emotional toll that such a finding will invariably bring, but also because such a finding carries with it important legal and administrative consequences. Such a finding is made on the balance of probabilities, but there must be clear, cogent and exact evidence that a person has died before it can be made.²
22. In determining whether Paul is still alive or deceased, consideration has been given to the following factors:
- (a) Since 30 January 2012 the police investigation has not uncovered any positive evidence which suggests that Paul is still alive;
 - (b) There has been no mobile phone or financial activity to indicate that Paul is still alive;
 - (c) Any activity relating to Paul has not appeared on any government or law enforcement database or record;
 - (d) Paul's family and those closest to him, have not heard from him for almost seven years;
 - (e) The sudden and unexpected circumstances of Paul going missing; and
 - (f) Paul's involvement in criminal activity for at least the two years which preceded him going missing, which in turn potentially placed him at risk of harm or reprisal.
23. Having regard to all of this evidence, I conclude, that it is more probable than not, that Paul is now deceased.

² *Briginshaw v Briginshaw* (1938) 60 CLR 336.

24. Regrettably, the available evidence does not allow for any finding to be made, even on the balance of probabilities, as to precisely when Paul died, other than that his death occurred on, or sometime after, 30 January 2012. The available evidence also does not allow for any finding to be made as to the cause and manner of Paul's death.

Should any recommendations be made?

25. Although the available evidence does not allow for any a finding to be made as to the manner of Paul's death the police investigation raises the strong suspicion that it was the result of homicide. There is no evidence that Paul suffered from any pre-existing natural disease which could have resulted in his death. Further, whilst the possibility of Paul's death being due to misadventure cannot be entirely excluded, it might be expected that, if this had occurred, there would be some physical evidence discovered of this in the seven years since Paul was reported as missing. Finally, the nature of the criminal activity that Paul was involved in suggests that it is more probable that Paul died in suspicious circumstances as the result of homicide. If this is the case, then there is obviously public interest in having any person, or persons, responsible for Paul's death being brought to justice.
26. I therefore recommend that the death of Paul Sekeres be referred to the Unsolved Homicide Unit of the NSW Police Homicide Squad for further investigation in accordance with the protocols and procedures of the Unit.

Findings

27. Before turning to the findings that I am required to make, I would like to thank Mr Ben Hart, Coronial Advocate, and Detective Sergeant Hugh Brandon, the officer-in-charge of the police investigation, for their assistance with this inquest.
28. The findings I make under section 81(1) of the Act are:

Identity

The person who died was Paul Sekeres.

Date of death

Paul died on, or sometime after, 30 January 2012.

Place of death

The available evidence does not allow for any finding to be made as to where Paul died.

Cause of death

The available evidence does not allow for any finding to be made as to the cause of Paul's death.

Manner of death

The available evidence does not allow for any finding to be made as to the manner of Paul's death.

Epilogue

29. On behalf of the coronial team and the NSW Coroner's Court I extend my sincere and respectful condolences to Paul's family. The circumstances surrounding Paul going missing, and the persistent

and painful feeling of uncertainty in the years that have passed since, has no doubt caused a great deal of sorrow and anguish to them.

30. At the end of the evidence in the inquest, Paul's brother, Joseph, gave a heartfelt account of Paul's desire, during the period immediately before he was reported missing, to make positive changes in his life. It is hoped that in the future some reliable evidence can be uncovered, to provide more information about what happened to Paul.
31. I close this inquest.

Magistrate Derek Lee
Deputy State Coroner
11 January 2019
NSW State Coroner's Court, Glebe