



CORONERS COURT OF QUEENSLAND

FINDINGS OF INQUEST

CITATION: **Inquest into the deaths of Enid Cecilia Hyde and Norman Reeve Hyde**

TITLE OF COURT: Coroners Court

JURISDICTION: CAIRNS

FILE NO(s): 2018/2808 & 2018/2809

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FINDINGS OF: Nerida Wilson, Northern Coroner

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Acknowledgement of Traditional Owners and Elders and Family

1. I acknowledge the traditional owners of the land on which we convene this inquest, the Gimuy Walubarra Yidinji people.
2. I acknowledge the Traditional Owners and Elders of the lands to which Enid Cecilia Yeatman Hyde and Norman Reeve Hyde were connected, and the lands upon which they lived and died.
3. I pay my deep respects to the traditional and original owners of this land; the Gimuy people, and to the Traditional Owners and Elders of Yarrabah where these tragic events occurred, the Gunggandji people.
4. I acknowledge the contemporary Far North Queensland Aboriginal community, who have survived invasion and dispossession, and who continue to maintain their identity, culture and Indigenous rights.
5. Enid Cecilia Yeatman Hyde was a Kuku Yalanji woman (and therefore identified with the rainforest regions of far North Queensland; the language is a living language and still spoken by their people today) The Kuku Yalanji word for welcome is *yulmbarril*, and the word in language for talk together or discuss, is *balkaway*. I welcome all to talk together in this forum, to better understand and inform these events.
6. Norman Hyde was a Yidinji man (which is one of the largest Aboriginal tribes of the Cairns area).
7. I mean no disrespect when referring to any deceased Aboriginal person by name which is necessary to fulfil the functions with which I am tasked.
8. Enid's children are Margaret; Lee; Gertrude; Dianne; Kayleen and Wayne. I acknowledge and extend my deepest condolences to Enid's surviving daughters Dianne, and Kayleen and her granddaughter Anthea who were present either in court or online throughout the inquest.
9. I extend my deepest condolences to Norman's brother Peter, who sat in court for the duration of the inquest.

Publication

10. Section 45 of the *Coroners Act 2003* ('the Act') provides that when an inquest is held, the coroner's written findings must be given to the family of the person in relation to whom the inquest has been held, each of the persons or organisations granted leave to appear at the inquest, and to officials with responsibility over any areas the subject of recommendations. These are my 19 page findings in relation to Enid Cecilia Yeatman Hyde and Norman Reeve Hyde, They will be distributed in accordance with the requirements of the Act and published on the website of the Coroners Court of Queensland.

Relevant Legislation

11. The coronial investigation and inquest in the matters of Enid Cecilia Hyde and Norman Reeve Hyde were finished under the *Coroners Act 1958*. The issue arises as to which legislation applies in the present instance.
12. Pursuant to s.100C of the *Coroners Act 2003*, ss.50 and 50A apply to "*reopening a finished repealed Act inquest*" as if the references in in the sections [50 and 50A] to an inquest included references to a finished repealed Act inquest.
13. A ***finished repealed Act inquest*** is defined as:
 14. an inquest, within the meaning of the repealed *Coroners Act 1958*, section 5 [definitions], that has concluded under the repealed Act or the repealed Act as applied under former section 100.
15. These matters meet that definition and I re-open them pursuant to s.50 of the *Coroners Act 2003* and exercise all powers that flow from that provision (and Act).

Findings required s.45 Coroners Act 2003

16. Pursuant to s.45 of the *Coroners Act 2003* I must, if possible, make findings as to:
 - a) Who the deceased person is;
 - b) How the person died;
 - c) When the person died;
 - d) Where the person died; and
 - e) What caused the person to die

17. I must not include within those findings any statement that a person is, or may be:
 - a) Guilty of an offence; or
 - b) Civilly liable for something.

Standard of Proof

18. The particulars a Coroner must, if possible, find under section 45, need only be made to the civil standard but on the sliding *Briginshaw* scale. That may well result in different standards being necessary for the various matters a coroner is required to find. For example, the exact time and place of death may have little significance and could be made on the balance of probabilities. However, the gravity of a finding that the death was caused by the actions of a nominated person would mean that a standard approaching the criminal standard should be applied because even though no criminal charge or sanction necessarily flows from such a finding, the seriousness of it and the potential harm to the reputation of that person requires a greater degree of satisfaction before it can be safely made.
19. The paragraph above was specifically contemplated by the Court of Appeal with apparent approval. The Court went on to state:
20. *Two things must be kept in mind here. First, as Lord Lane CJ said in R v South London Coroner; ex parte Thompson, in a passage referred to with evident approval by Toohey J in Annetts v McCann: ...an inquest is a fact finding exercise and not a method of apportioning guilt ... In an inquest it should never be forgotten that there are no parties, there is no indictment, there is no prosecution, there is no defence, there is no trial, simply an attempt to establish facts. It is an inquisitorial process, a process of investigation quite unlike a trial where the prosecutor accuses and the accused defends, the judge holding the balance or the ring, whichever metaphor one chooses to use. Secondly, the application of the sliding scale of satisfaction test explained in Briginshaw v Briginshaw does not require a tribunal of fact to treat hypotheses that are reasonably available on the evidence as precluding it from reaching the conclusion that a particular fact is more probable than not."*

Issues for Inquest

21. The issues for inquest with respect to Norman Reeve Hyde are:

The findings required by section 45(2) of the Coroners Act 2003 namely:

- (a) the identity of the deceased person;
- (b) how the person died; and
- (c) when the person died; and
- (d) where the person died, and
- (e) what caused the person to die.

The issues for inquest with respect of Enid Cecilia Yeatman Hyde are:

22. The findings required by section 45(2) of the Coroners Act 2003 namely:

- a) the identity of the deceased person;
- b) how the person died; and
- c) when the person died; and
- d) where the person died, and
- e) what caused the person to die.

Witnesses required to give evidence

23. The following people gave oral evidence at inquest:

- i. Detective Sergeant Brad McLeish
- ii. Dr Paull Botterill
- iii. Ms Linda Lawson
- iv. Mr Wayne Connolly
- v. Mr Conrad Yeatman

Background

24. Enid Cecilia Yeatman Hyde and Norman Reeve Hyde died at sea in 1972 off False Cape near Yarrabah.

25. Yarrabah lies to the east of Cairns. The coastline runs east from False Cape around Mission Bay, past Cape Grafton and Kings Point. It has an area of approximately 158.8 square kilometres.

Norman Reeve Hyde (also known as Albert)

26. Mr Norman Hyde was aged 24 years at the time of his death. He was also known as "Albert" and for ease I will refer to him as Albert, his preferred name. Albert was a married man and employed as a labourer. He resided at what was then referred to as the 'Yarrabah Mission', and

now Yarrabah. Albert is the brother of Mr Richard Frank Hyde, also known as "Charlie" Hyde, who is the husband of Enid. Throughout the narrative I will refer to Richard as Charlie, his preferred name.

27. The inquest before Coroner Bernard J Scanlon on 28 March 1973 one year after Norman's death, concluded that Norman's (Albert's) cause of death was by Asphyxia due to drowning. There is no evidence before me to the contrary and I do not intend to disturb that finding.
28. Albert's toxicology testing was by way of a post mortem specimen of blood and indicated 230mg per 100ml (or .23% in road traffic terms almost 5 times the legal limit for driving). No other drugs or poisons were detected.

Enid Cecilia Yeatman Hyde

29. Enid Cecilia Yeatman Hyde was aged 36 years at the time of her disappearance. Enid was married to Richard Frank Hyde (Charlie) and she is the sister of Mr Conrad Yeatman.
30. At the time of her death Enid had six dependent children and her occupation is recorded Home Duties. Charlie was her second husband, Enid's first husband was deceased.
31. The inquest before Coroner Bernard J Scanlon on 28 March 1973 one year after her disappearance determined that Enid went missing at sea 100 yards of False Cape Trinity Inlet. The circumstances as noted by the Coroner are:
 - *Missing person very intoxicated at the time of her disappearance from a small aluminium dinghy in choppy seas. Held to be dead. No criminal negligence of fault on the part of any person.*
32. That finding is the subject of the substantive inquiry for this inquest.

Background information

33. Statements and material provided to the original 1973 inquest form part of the current Brief of Evidence, including written signed statements from Richard (Charlie) Hyde, Cecil Smith, Conrad Yeatman and Police Officer senior Constable Howard. Those statements in my view provide the earliest and best evidence regarding the events.

34. The Queensland Police also conducted a further investigation in anticipation of this current inquest and the transcript of interviews with relevant persons and statements are exhibited within the coronial Brief of Evidence.
35. It is not disputed that a group comprising Enid, Charlie, and Conrad, travelled by dinghy (14 foot with a Johnson 9 horsepower outboard) from Yarrabah to Cairns and returned the same day. It is not disputed that the occupants of the dinghy on the return boat journey from Cairns to Yarrabah were Richard, Enid, Conrad, Albert and Cecil.
36. Neither Enid or Albert survived the boat trip home. Original versions of events provided in 1973 by the three survivors did not resolve the issue of how both Enid and Albert went overboard. The versions differed in material ways. Notwithstanding, it was open to the Coroner at that time to conclude a medical cause of death for Albert as his body was recovered. The Coroner also found that Enid was deceased presumed drowned at sea. The Coroner determined that there was '*no criminal fault or negligence on the part of any person*'.
37. The next of kin (Enid's daughters) do not accept the original findings and contend negligence or fault in their mother's death and remain concerned that her life was intentionally taken by another, or the result from the actions of another, and that her body or remains, are in fact on land, and not at sea.
38. Charlie Hyde and Cecil Smith are now deceased. Mr Conrad Yeatman, aged 80, is the only living eye-witness to relevant events. This inquest relied on the 1973 statements of the surviving members of the journey and the oral evidence of Conrad Yeatman. I accept that the passage of time and Mr Yeatman's advanced years preclude both precise recall and the ability to test original versions provided within 12 months of the relevant events.
39. Another significant factor is the self-reflection offered by Conrad at inquest that he was an alcoholic, as was Charlie. Conrad as a mature man became a Christian pastor and is now committed to helping others. I accept that alcohol played a significant part in the events of the day and likely also affected the accuracy of all versions provided both at the time and more recently. Conrad conveyed a sense of shame during his oral evidence about his conduct as a younger person while affected by alcohol. This inquest was convened against all those relevant factors, which affect the quality of the available evidence.

Events of March 1972

40. On 28 March 1972, three people, Enid, her husband Charlie and her brother Conrad Yeatman travelled from Yarrabah to Cairns departing at about 7.00AM in in a 14 foot aluminium dinghy owned by Stanley Connelly.
41. Upon arrival in Cairns, Richard and Enid attended to business at the government offices of the then Department of Aboriginal and Islander Affairs. I infer that business included obtaining a government payment (or payment from a farmer for whom they had provided labour).
42. Throughout the day Enid and her husband met up with others including Conrad, Cecil Smith and Edward Maywee at the nearby Palace Hotel and later, the Barrier Reef Hotel.
43. At the March 1973 inquest, Charlie deposed that all had been drinking alcohol throughout the day and that *“Enid bought a dozen stubbies of beer to take home, and Albert bought half dozen stubbies of beer and a bottle of wine.”* Charlie further deposed that later he and Albert and Enid sat in the boat and drank the half dozen stubbies of beer. *“We remained there until about 5.15PM until Conrad Yeatman and Cecil Smith arrived. Conrad Yeatman had a bottle of wine and Smith had a dozen bottles of beer”.*
44. I accept that five people including Richard, Enid, Conrad, Richard’s brother Albert, and a Cecil Smith, returned to Yarrabah in the same boat departing by about 4.30PM or soon after (having now had the benefit of all the evidence, and accept that this is one hour earlier than suggested by Charlie in his statement). Conrad was in charge of the boat journey back to Yarrabah and his 1973 statement he indicated that *“We all drank the half dozen stubbies of beer and bottle of wine”.*
45. During the return journey the group stopped at Koombal Park where a kiosk run by Allan and Linda Lawson was located. The kiosk sold supplies to local people including food and petrol. It was a common occurrence for local people to stop off at that location when traveling between Cairns or Bessie Point, and Yarrabah.
46. Mrs Lawson gave evidence recalling the group pulling up at the beach and talking loud enough for her to hear. She qualified in her oral evidence that she was approximately 50 metres from the group at all times (she used imperial measures which I have converted. I take into her account of being 60 feet + 60 feet with a road in between when calculating her

measurement for the court). Mrs Lawson further qualified her evidence by stating that she was short sighted.

47. In any event I accept that Mrs Lawson saw the group stop at Koombul Park en-route from Cairns to their ultimate destination in Yarrabah. Her evidence did not give rise to anything of note or out of the ordinary. She says she recalls the day clearly because one always remembers the tragedy of a death in the community. She has not previously given evidence of these matters in any other forum. Mrs Lawson was previously a teacher at Yarrabah school and she recalls Enid and her children, and knew them by name and sight, as she did other persons connected with these events.
48. The onward journey from Koombul Park resumed after that stop. Navigating around False Cape is a 15 or 20 minute journey when with no load and good conditions. Otherwise, it is longer, perhaps double that time when carrying a load and if affected by poor weather.
49. The water conditions that afternoon are described by Conrad as “*choppy*” and “*rough*”. Cecil Smith described the conditions as “*rough*”. Mrs Lawson recalls it being fine (which may not reflect the wind and water conditions). In any event five adults would have created a relevant load in the dinghy (hence slowing the trip).
50. In his 1973 evidence Charlie deposed that whilst at Koombul Park he and Enid had an argument and stated “*We were all pretty drunk by then*”. Cecil Smith deposed that upon departing Koombul park Enid was then sitting in the boat crying and he heard Enid and Charlie having an argument. From there facts become hazy. Cecil Smith deposed that Albert and Enid jumped when the motor stopped and that Charlie jumped over and tried to get them to come back to the boat and that Cecil pulled Charlie back in the boat (all while Conrad was asleep). Cecil then lost an oar and put fuel in the tank before Conrad woke and Cecil then went to sleep (while Albert and Enid were missing). Cecil says everyone in the boat was very drunk and Charlie and Enid were swearing at one another.
51. It has been a source of great humiliation and shame to Enid’s adult children that she was noted to be *very* intoxicated in the original coronial findings and within the formal statements of survivors. They contend, Enid was moderate in her habits, and that it was out of character for her to have been intoxicated.
52. I note Albert’s post mortem toxicology for alcohol was .230mg per 100ml. That may provide some indication of the amount of alcohol consumed

by some or all members of the group. Enid was not located and therefore any objective assessment of her toxicology for alcohol is unavailable.

53. Whilst it cannot be determined with any precision how intoxicated Enid was at the relevant time, having considered all of the evidence it is more probable than not that she was under the influence of alcohol.
54. The influence of alcohol also likely accounts for the behavioural changes, described further herein, amongst the group, including allegations that Charlie became jealous of interactions between his wife and Albert, and on Charlie's own recount of events in his 1973 statement, an argument took place between he and Enid at the Koombul Park stopover.
55. Conrad requested Charlie to take over driving for the short trip from Koombul Park and Yarrabah. Conrad then fell asleep.
56. Conrad in these proceedings said it had been a long day (I accept that noting the group left in the early morning and returned in the very late afternoon the same day) and that he had not eaten. While Conrad at first was hesitant to concede any consumption of alcohol by him during the day, he ultimately adopted the original version provided in his 1973 statement, and I accept it more probable than not that he was under the influence of alcohol at the time of the journey home, and in combination with little food and after a long day in Cairns including the boat journey to and from Yarrabah, he required sleep and was not a direct eyewitness to Enid and Albert going overboard.
57. Conrad says he was woken just 200 metres or so off the shore and by then Enid and Albert were missing. He was told by Charlie they had gone overboard and immediately took charge of the dingy (he had no trouble starting the outboard with one pull of the cord) and did his best to retrace to the location where Enid and Albert were last seen. I understood that his search included searing the beachhead and the rocks near Chulki Beach.
58. Conrad says he was not then, or any time since, provided with a version by the other occupants of the boat that would explain how it came to be that Enid and Albert went overboard. In his oral evidence he did say that he knew something was not right at the time and he suspected that Charlie knew more than he let on, and that Cecil was too frightened to say anything.

59. Police Officer Howard gave evidence to the 1973 inquest nominating Conrad as his source of information that the boat developed engine trouble and for that reason Albert and Enid jumped over. Conrad in his oral evidence to this inquest inferred there was more to the events, although he himself was unclear about them.

The search for Enid and Albert

60. Conrad asked to be shown the location where Enid and Albert were last seen and did his best to locate them (possibly for some hours until approximately 7.00PM) and went back and forth up and down the coastline several times in the general vicinity.
61. The first notification of the disappearances of Mr Norman Hyde and Mrs Enid Hyde was some four (4) hours later at 11pm on 28 March 1972 to a Queensland Police Senior Constable James Howard. Following that notification, a search was commenced by Police with the assistance of other Yarrabah residents with access to a vessel. That search continued until 4:30AM when it was called off until daylight.
62. The search continued over the following days and the body of Norman Hyde was recovered on 30 March 1972 '*one mile north-west of False Cape*'. The body of Enid Yeatman Hyde has not been recovered.
63. Norman Hyde's post-mortem examination was performed on 31 March 1972 and identified his cause of death as "*Asphyxia due to drowning*". Whilst there were signs of early decompositional changes present, no other injuries were identified.

The 1973 Joint Inquest

64. The joint Inquest into the death of Mr Hyde and the disappearance of Mrs Yeatman Hyde was conducted on 28 March 1973 at Cairns by Magistrate and Coroner Bernard Scanlan.
65. Four witnesses gave oral evidence at the original inquest:
- a. Richard (also known as Charlie) Frank Hyde;
 - b. Conrad Barry Yeatman;
 - c. Cecil William Smith; and
 - d. PCSC James Richard Howard.
66. The findings, delivered on 28 March 1973, found that Mr Norman Hyde '*died at 7pm on 28 March 1972 by asphyxia due to drowning 50 yards from False Cape, Trinity Inlet. No criminal negligence*'.

67. Mrs Enid Hyde was also found to have died (missing at sea). No finding was made as to the date of her death.

Application to Set Aside Findings of 1973 Inquest

68. An Application (to Set Aside a Finding) dated 10 November 2016 was filed by Enid's daughter Ms Diane Underwood, and at the direction of the Attorney General of Queensland a direction to reopen the inquest was formally made on 29 May 2019 by the State Coroner and referred to the Northern Coroner.

The 2021 Inquest

69. This inquest convenes just five (5) months short of the 50 year anniversary of this tragedy. Many lives and families have been affected. It is apparent that many of the circumstances have remained unresolved and unsettled for Enid's family.
70. Conrad Yeatman's oral evidence at first diverged significantly insofar as his alcohol consumption which in my view he initially downplayed, but ultimately he conceded that his 1973 statement represents a truthful account of alcohol consumption. He says he told the truth at the time, and was not overborne by police when making the statement.
71. His most recent account remains largely consistent with the evidence deposed in his statement to the Coroner in 1973, insofar as he was asleep in the boat and woken to be told that Enid and Albert were overboard. I accept that he did not see them exit.
72. Conrad in oral evidence further stated that when he questioned Charlie and Cecil in the boat "*they wouldn't tell me anything*". He corroborated that Charlie and Enid and Albert had a '*few words*' Koombul Park. His theory is that Charlie was hitting Enid with a paddle, which remained a theory because "*Charlie never give me a proper answer*".
73. Soon after these tragic events in 1973 Conrad shared his version with family members including his nephew Mr Wayne Charles Connolly. Mr Connolly came forward to police when he became aware of the inquest and provided a statement for these proceedings in August 2021. Wayne is now a 68 year old man, having been 19 years of age at the relevant time. He says as a young man and upon hearing of the death of his relatives he became angry but was told by his father not to make trouble and that police were investigating.

74. His statement to this inquest and his oral evidence corroborate that he was told at the time of these events (during sorry business) from Conrad that:
- Charlie and Enid were drinking at pubs on the day and Conrad joined them for a time;
 - They all drank on the return journey, beer and wine and '*were a bit drunk*'
 - Enid and Charlie were arguing on the boat trip home and that it '*got a bit heated*';
 - something happened at Koombul park between Enid and her husband Charlie that upset Enid;
 - Charlie was hitting Enid with a paddle (in the boat);
 - Conrad was asleep at the time they went overboard;
 - Conrad searched the waters for a long time that evening before reporting them missing to police.
75. Charlie told Wayne later that he did not know what happened or why Enid went over.
76. During the period of sorry business Wayne also spoke with Cecil Smith who told him:
- Charlie was getting jealous with Albert and Enid;
 - Charlie and Enid argued most of the way from Cairns;
 - Heading towards Fales Cape (ie after leaving Koombul Park) Charlie started '*digging at Aunty Enid and Albert with a paddle*'
 - Albert took the opportunity to get away from Charlie when the boat broke down near Tomrock (False Cape) and jumped overboard;
 - Charlie then turned on Enid and Cecil tried to calm him down and Enid jumped out of the boat.
77. Wayne recalls Cecil being scared while retelling the story and told him not to tell Charlie.
78. In Charlie's 1973 statement to the Coroner he says:
- He, Enid and Albert were drunk;
 - 30 or 40 yards offshore (after leaving Koombul Park) the outboard motor stopped and Albert dived overboard;
 - Cecil and I took an oar, Cecil lost his overboard;
 - We started to row I heard a splash and saw Enid going after Albert;
 - He could see them swimming in the water;
 - Conrad started the motor and we started looking for them;
 - There was no argument on the boat between anybody.

Royal Commission into Aboriginal deaths in Custody

79. Richard Frank (Charlie) Hyde died in custody at Yarrabah on 18 December 1986. In 1991 his death was the subject of a Report to the Royal Commission.
80. The relevance to this inquest is that the report adopted the following relevant narrative and social history in relation to Charlie and these events (extract *italicised*):
- *On 30 November 1968 Hyde, then 24 years old, married Enid Cecilia Stafford (nee Yeatman) at St Albans Church, Yarrabah. There were no children of the marriage. However, Enid who was nine years older than Hyde already had six children who resided with them after the marriage. Hyde had a five year old son from a previous relationship, but he had been adopted by Enid's parents and lived in Cairns.*
 - *The marriage ended tragically. On 28 March 1972 Hyde was returning to Yarrabah by boat from Cairns with Enid, his brother Albert and another Yarrabah resident, Cecil William Smith, when an argument broke out between Enid and Hyde. Enid jumped from the boat some 20 to 30 metres from shore. Albert attempted to rescue her and both were swept away in a strong current and drowned.*
 - *Hyde was 27 years old at the time. Enid's children were transferred to the care of relatives in Kuranda, near Cairns. It was said that Hyde was never the same after Enid's death and that, while already a drinker, he turned increasingly to alcohol.*
 - *There was evidence that some people held Hyde responsible for the deaths of Enid and Albert and that this troubled him. His brother, Peter Hyde, related that when they drank together they sometimes got involved in arguments with others about the incident. Hyde had complained that people at Yarrabah never forgot and that they called him a murderer. Others disputed this.*
 - *Hyde was again the subject of such 'talk' several years later following the death of a Yarrabah man, Bertie Harris, in the course of a boating outing with Hyde and several others. Hyde had been known to get upset by what he believed was gossip in the community holding him responsible for Harris' death. The Commission was told that such rumours had abated following a coronial inquest which found that Harris actually died from an heart attack.*
 - *After his wife's death Hyde spent most, if not all, of his time at Yarrabah living with relatives and friends. His job at the butcher's shop had ended prior to Enid' s death and Hyde had returned to seasonal work on cane farms for a time. He also managed to obtain work periodically with the Yarrabah Aboriginal Council as a labourer.*

81. The evidence before the Royal Commission corroborates relevant aspects of the 1973 inquest, and the current coronial inquest, although the report to the Royal Commission places Enid jumping into the water prior to Albert. There was no attempt to reconcile those competing versions at this inquest, and realistically no ability to reconcile such events noting there are no living eye witnesses.
82. I accept and find that both Enid and Albert entered the water in the context of an argument with Charlie.

Conclusions

83. The hallmark of these tragic events is what has not been said.
84. Enid's now adult children have grown up without knowing the truth. Whilst they have had access to the outcome of the 1973 inquest and investigation, and the Report to the Royal Commission, and the most recent versions from living witnesses, Enid's children, now mature adults, have not reconciled the events for themselves. Her daughter Dianne spoke at the conclusion of inquest, of a loving mother who would give you the shirt of her back, do anything for her children, her irreplaceable loss as the heart of their family, and the traumatic separation from her siblings that resulted upon the death of her mother.
85. Immediate family members held the key to aspects of these events and yet did not, or have not, shared the entire story with her children. Unfortunately the passage of time has caused them to fear the worst, that their mother came to foul play. They have not let go of concerns that Conrad was directly involved. I find that he was not directly involved, he may know more than he had previously disclosed, although even of that I also cannot be sure. He says that when he was woken he knew something wasn't right and that he wasn't getting the true story from Charlie.
86. The only people who know the whole truth are all deceased, including Enid and Charlie and Cecil and Albert.
87. Enid's husband Charlie has taken to his grave information that may have further clarified what happened. His 1973 statement is at odds with the version provided by Conrad and Cecil in salient aspects, including his lack of knowledge about events prior to, and including, Enid going overboard. He also clearly stated in the last line of his 1973 deposition that '*there was no argument on the boat between anybody*'. That is completely at odds with his conduct as described by Conrad and / or

Cecil. Their versions infer (when combined) Charlie was jealous and arguing with Enid, who was seen crying, and antagonised Albert and Enid by poking them with an oar, to the point where they jumped from the boat to get away from him. His initial statement may have been crafted around self-interest.

88. Enid could not swim, certainly not well enough to survive in open waters. With the benefit of all the evidence which now includes a further version from Conrad, and a never before told version from Wayne Connolly, I have formed a view that she would not have gone overboard unless she felt forced or compelled to do so, and combined with a level of intoxication, such may explain her out of conduct behaviour.
89. The benefit of this inquest was to explore with more particularity all versions of events, both historic and more recently provided.
90. I find as follows from the conclusions of fact rationally drawn from the evidence on the balance of probabilities that:
 - i. All members of the return group to Yarrabah including Conrad, Enid, Charlie, Albert and Cecil had consumed alcohol throughout the day; and
 - ii. Charlie became jealous about perceived interactions between Enid and Albert and argued with Enid on the return trip to Yarrabah; and
 - iii. Charlie starting to poke or dig Albert and Enid while in the boat after the Koombol Park stopover; and
 - iv. Either Albert jumped overboard first closely followed by Enid or;
 - v. Enid jumped overboard first closely followed by Albert;
 - vi. Both jumped overboard to get away from Charlie;
 - vii. Conrad Yeatman did not cause or contribute to the death of either Enid or Albert;
 - viii. Cecil Smith did not cause or contribute to the death of Enid or Albert;
 - ix. Norman Reeve Hyde (Albert) did not intentionally cause his own death;
 - x. Norman Reeve Hyde (Albert) did not cause or contribute to the death of Enid Cecilia Yeatman Hyde.

xi. Enid Cecilia Yeatman Hyde did not intentionally cause her own death.

91. I find that Enid Cecilia Yeatman Hyde is deceased and that she died at sea presumed drowned on 28 March 1972 when she jumped from a 14ft dinghy approximately 100 metres off False Cape.

Findings required by s. 45

Identity of the deceased	Enid Cecilia Yeatman Hyde
How she died –	By jumping from a 14 ft dinghy into open waters.
Place of death –	Approximately 100 metres off False Cape, Trinity Inlet CAIRNS QLD 4870 AUSTRALIA
Date of death–	28 March 1972
Cause of death –	Presumed drowned at sea

Identity of the deceased	Norman Reeve Hyde
How he died –	By jumping from a 14ft dinghy into open waters.
Place of death –	Approximately 1 mile north-west of False Cape, Trinity Inlet CAIRNS QLD 4870 AUSTRALIA
Date of death–	28 March 1972
Cause of death –	(a) Asphyxia due to (b) drowning

I close the inquest.

Nerida Wilson
Northern Coroner
CAIRNS