



CORONERS COURT OF QUEENSLAND

FINDINGS OF INQUEST

CITATION: **Inquest into the death of Gwen Lorraine Grover**

TITLE OF COURT: Coroners Court

JURISDICTION: CAIRNS

FILE NO(s): 2019/5570

DELIVERED ON: 9 November 2021

DELIVERED AT: CAIRNS

HEARING DATE(s): 12 August 2021, 12 – 13 October 2021

FINDINGS OF: Nerida Wilson, Northern Coroner

CATCHWORDS: Coroners: inquest, Attorney General Direction to conduct an Inquest; 1983 cold case; female self-inflicted gunshot wound; suspected suicide; adequacy of original police investigation; cold case homicide review; original non-inquest findings of Coroner upheld.

REPRESENTATION:

Counsel Assisting:	Mr J Crawfoot
Counsel for QPS Union and Det Snr Sgt E Kinbacher:	Mr S Hollands
Counsel for Ms S. Cole: (Applicant for inquest)	Ms R Logan i/b Townsville Community Law Inc.
Counsel for Snr Sgt Manktelow And Det Snr Const Dennien:	Ms A Lawrence
Counsel for Commissioner of Queensland Police Service:	Mr M O'Brien

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Publication

1. 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 42 page findings in relation to Gwen Lorraine Grover, 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

2. 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
3. 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

4. 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.

5. The paragraph above was specifically contemplated by the Court of Appeal with apparent approval. The Court went on to state:

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 at Inquest

- 6.
- 1) The findings required by s.45 of the *Coroners Act* 2003, and
 - 2) The adequacy of the original investigation by the Queensland Police Service.

Witnesses required to give evidence

7. The following persons were called to give oral evidence at inquest:
- i. Snr Sgt Beven Mankelow
 - ii. A/ Det Sgt Adam Dennien
 - iii. Mrs Susanne Cole
 - iv. DSS Edward Kinbacher
 - v. Mr Craig Lock
 - vi. Mrs Sharon Mackedie
 - vii. Mr Duncan Grover
 - viii. Mrs Elizabeth Grover
 - ix. Mr Kenneth Soper

Relevant Legislation

8. The *Coroners Act* 1958 was in effect at the time of Mrs Grover's death. The investigation was finished under the 1958 legislation.
9. The *Coroners Act* 2003 was in effect at the time of these 2021 inquest proceedings.
10. The *Justice and Other Legislation Amendment Bill* 2019, repealed the operation of the *Coroners Act* 1958.
11. 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 the sections [50 and 50A] to an inquest included references to a finished repealed Act inquest.
12. A finished **repealed Act inquest** is defined as:
 13. 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.
 14. I reopen coronial proceedings pursuant to s.50 of the *Coroners Act* 2003 in the exercise of powers that flow from those relevant provisions.

Background

15. Gwen Lorraine Grover was born on 28 June 1951 and died on Friday 14 October 1983 aged 32 years and 3 months.
16. Gwen was born at the District Hospital Narrabri to Stanley Edward Hannaford a timber worker aged 29 years, and Lillian May (nee) Gregory aged 24 years. Her siblings at the time of her birth were Lillian aged 4 years, Irene aged 2 years and Stanley aged 1 year. After Gwen was born four more siblings Margaret, Christine (and a deceased twin) and Susanne (Sue) were born. Susanne was aged 3 when Gwen married Duncan at age 16 and left the family home.
17. At the time of her death Mrs Grover was survived by her two sons Roy, then aged 15 years and 3 months, and David, then aged 12 years and 9 months.

18. At the time of inquest Roy was her sole surviving child. Roy did not participate in these proceedings.
19. Mrs Grover's official address at the time of her death was a unit referred to as Flat 2 / 177 Lake Street Cairns. Mrs Grover moved into those premises the day prior to her death. By distance, the unit is approximately 2.1 kilometres from where Mrs Grover was located deceased in a motor vehicle.

The circumstances in which Mrs Grover was found

20. On 14 October 1983 Craig Wallace Lock located Mrs Grover deceased in a green 1975 Valiant Galant sedan Queensland Registration 757 NXO on Lake Street, approximately 125 metres south of Rutherford Street North Cairns.
21. Mr Lock was then 19 turning 20 years of age. When walking from town north towards his family home at 379 Lake Street noticed a lady sitting in a vehicle adjacent to the hockey fields and he leaned in to ask if she was alright. Mr Lock saw a rifle between her legs and realised she was deceased. He ran to his house which was within sight of the vehicle and called police from a landline phone. Mr Lock saw police arrive within short time.
22. Mr Lock's recollection is that Mrs Grover was sitting upright like you would if driving, with a rifle between her legs. Mr Lock recalls also seeing an undertaker arrive and extricate Mrs Grover from the vehicle. Police did not then contact Mr Lock or take a version from him as part of the initial investigation. Mr Lock's identity and involvement was discovered during the cold case police investigation when title searches were conducted for property owners who lived in the area at the relevant time. Police first located Mr Lock's brother who re-directed them to Craig. Mr Lock in his statement indicates he had "*always sort of wondered what happened to her*". Mr Lock in evidence said he "*didn't sort of stick around and get involved*" and he recalls that it was "*a wet day*" and "*that end of town wasn't busy back in the 80's*".

Initial police investigation

23. A second year Queensland Police Officer, Constable Kinbacher, was the first police officer on scene and prepared a Form 4 'Report Concerning Death by a Member of the Police Force' signed and dated 14 October 1983. That report notes that the death was reported to police at 1pm on

14 October 1983. I infer from that report that police believe Mrs Grover died at approximately 12 midday or earlier on 14 October 1983.

24. Kinbacher remains a serving officer and has since attained the current rank of Detective Senior Sergeant. He gave oral evidence at Inquest.
25. The Form 4 report prepared and finalised by Officer Kinbacher on the day of Mrs Grover's death summarises the 'brief circumstances of death so far as ascertained'. I extract verbatim as follows:

At some time on the morning of 14/10/83 Gwen Lorraine Grover was shot in her vehicle at the intersection of Lake and Rutherford St's Cairns. Suicide is suspected. When she was last seen by her estranged husband the evening of 13/10/83 at approximately 7:30 PM she seemed to be in good spirits but was upset over the breakup of a relationship with her boyfriend, the two were contemplating marriage. The deceased had just moved into a new residence and had to (sic) decided to start a new life away from her boyfriend. Inside the vehicle in which she was found was a large number of empty stubbies also there was a large amount of cigarette ash on the floor of the vehicle suggesting she may have sat in the vehicle thinking sometime prior to committing the act. Careful attention should be given to the angle of entry of the bullet as it may perhaps be critical to the direction of the investigation. Police attempted to interview her boyfriend however he could not be located. Enquiries are continuing. Post-mortem to be conducted.

26. The next of kin on the Form 4 was listed as her husband Duncan Roy Grover of 50 Murray St, Cairns. Mr Grover was noted as formally identifying the body.
27. By then Mr and Mrs Grover, had separated, although remained legally married as divorce proceedings had not commenced. Together they had two children Roy and David. Mr Grover had since re-partnered with his now wife Elizabeth (or Bet), as had Mrs Grover for a short time with a Mr Ken Soper. The reference to a breakup with her boyfriend in the Form 4 should be read as a reference to Ken Soper.
28. Both Mr Grover and Mr Soper both gave oral evidence at Inquest.

Post mortem examination

29. On 17 October 1983 Dr JC Ramsay conducted a post mortem examination and collected samples for toxicology. Dr Ramsay prepared an autopsy report, and noted as follows:

Pinkish colour of skin. ? Early decomposition. Early decomposition of abdomen only. Small, circular wound, with surrounding charring of left temple, compatible with entrance wound of small calibre bullet. Exit wound in high right parietal area. Gross haematoma of scalp.

Entrance and exit wounds as noted above. Small radiating fractures around exit wound. Brain shattered.

30. Dr Ramsay concluded the cause of death was:

*1 (a) cerebral destruction; due to or as a consequence of
1 (b) bullet wound of head.*

31. Dr Ramsay made the following additional remarks:

Blood was taken from the body and handed in a sealed and labelled container to senior Constable Hunkin for forwarding to the government analyst.

The entrance wound was excised and handed to senior Constable Hunkin in a sealed and labelled container for forwarding to the forensic laboratory.

The distorted bullet was located near the exit wound and was handed to senior Constable Hunkin in a sealed and labelled container for forwarding to the forensic laboratory.

32. A Form E post-mortem examination Medical Certificate of the Cause of Death dated 17 October 1983 was signed by Dr JC Ramsay and provided to the Registrar General of Birth Deaths and Marriages. A sealed copy was exhibited to the brief as A2.

33. Dr Ramsay completed a Request for Special Examination (exhibit C11 page 25 of 32) of a 'bullet from skull' and referred to the entrance wound at 'point blank range' and within that special request described his major post mortem findings as:

- Small calibre bullet wound (L) temple exit wound high parietal area (R) side
34. Further examination of the samples was undertaken by a Dr A.J. Ansford who prepared a written report dated 8 November 1983 and concluded as follows:

Macroscopic: A rectangle of hairy skin 3.0 x 2.5cm in the centre there is a circular defect 0.4 cm in diameter which is surrounded by narrow erosion and a zone of blackening 0.4cm wide. There is haemorrhage into subcutaneous tissue.

Histology: The appearance of those of a bullet entry wound which contains a considerable amount of carbon and powder residue.

Comment: Small calibre bullet entry wound, inflicted with the muzzle in contact or near contact with the skin.

Toxicology Analysis

35. On 21 November 1983 a State Analyst N Bailey of the Government Chemical laboratory Brisbane declared the result of a specimen of blood from post mortem toxicology samples of Mrs Grover to contain a blood alcohol level of 158 mg/100mL.
36. That reading is equivalent to .015% in road traffic terms, over three times the current legal limit for driving.

Scientific Report of Officer Kanowski (1983)

37. On Wednesday 19 October 1983 relevant crime scene exhibits were placed in the possession of scientific officer Glen William Kanowski. Those items had been retrieved on 17 October 1983 by Dr Ramsey during the post mortem examination and included:
1. 1 x .22 calibre round of ammunition; and
 2. 1 x damaged lead projectile
38. Ultimately Officer Kanowski concluded that the damaged projectile was consistent with a 40 gram lead projectile from a .22 calibre LR (long range) ammunition similar to the round of noted at item 1 above. The projectile bore marks indicating it had been fired through the barrel of a .22 calibre rifle and had been damaged as the result of high velocity impact. (see exhibit C11 at page 27)

Combined conclusions of forensic reports

39. When the reports of Dr Ramsay and Dr Ansford and Scientific Officer Kanowski are read together, I conclude and I **find** as follows:

a small calibre bullet, being a 40 gram lead projectile from a .22 calibre long range ammunition was discharged from a .22 calibre rifle, at point blank range entering the left temple, and causing an exit wound in the high right parietal area, and the same .22 calibre bullet was located lodged in the skull near the exit wound and found to be damaged due to the high velocity impact.

Coroners Notification to Under Secretary (1984)

40. On 31 January 1984 the Coroner B.J. Scanlan informed the Under Secretary of the Department of Justice by way of a Form 5 enclosing the post mortem certificate and the post mortem examination report, that holding an Inquest was unnecessary because as a result of the coronial enquiry:
- a) the body could be identified and
 - b) there were no suspicious circumstances.
41. On 7 March 1984, The Under Secretary, C. Pearson, endorsed the Coroners recommendation by way of Form 16 that the Holding of an Inquest is Unnecessary.

Release for Cremation

42. On 18 October 1983 Duncan Grover assembled and completed all paperwork for the release of Mrs Grover's body for the purpose of cremation. The necessary paperwork included:
- i. Application by Duncan Grover for Permission for Cremation made to North Queensland Crematorium Limited (exhibit A9 to brief)
 - ii. Cremation Permit provided by Government Medical Officer Dr JC Ramsay on 18 October 1983 (exhibit A9 to brief)
 - iii. Coroners Certificate for Cremation (authorising the Cremation upon receiving the Application) (exhibit A9 to brief)
 - iv. An Authority Form signed by Mr Grover instructing North Queensland Crematorium Limited to forward Mrs Grover's ashes to Logan Funerals Narrabri NSW (exhibit A9 to brief)

- v. North Queensland Register of Cremations confirming date of cremation as 20 October 1983 incorporating a receipt in the sum of \$285 for the Cremation charge to Duncan Grover (exhibit A9 to brief)
43. The ashes of Gwen Lorraine Grover were sent by certified post from North Queensland Crematorium Limited (Woongarra Crematorium Townsville) with a Certificate of Cremation. The ashes were received by Logan Funerals Narrabri on 25 October 1983 (certified post receipt exhibit A9 to brief). Mr Grover made arrangements to return Gwen's ashes to her birth family in New South Wales.

Re-opening of Investigation into Death

44. A coronial inquest was not held into the 1983 death of Mrs Grover for the reasons referred to above.
45. In 2018 Gwen's sister, Mrs Susanne (Sue) Cole, applied to the Coroners Court Queensland for release of any documents held concerning the death of her sister.
46. Mrs Cole was alarmed by the lack of documented information, and the documents she did receive raised more questions than answers. Mrs Cole did not believe Gwen took her own life.
47. On 27 May 2019 approximately thirty five years after Gwen's death, Mrs Cole wrote to the then Attorney General of Queensland requesting that an Inquest be held.
48. The Attorney General wrote to the State Coroner on 9 December 2019 directing an Inquest pursuant to *Coroners Act 1958* (the old Act), since repealed.
49. The State Coroner directed the Queensland Police conduct a fresh investigation.
50. The investigation was transferred to the Northern Coroner in June 2020.
51. Detective Sergeant Adam Dennien of the Cold Case Investigation Team provided a final investigation report on 31 January 2021. That report was included within the coronial brief of evidence as A.11.
- 52.

The 2021 Inquest

53. A pre-inquest conference was held on 12 August 2021 in the Coroners Court of Queensland sitting at Cairns.
54. The issues for inquest were agreed as:
 1. The findings required by s.45 of the Coroners Act 2003, and
 2. The adequacy of the original investigation by the Queensland Police Service.

Coronial Brief of Evidence

55. The Coronial Brief of Evidence comprised the following List of Exhibits:

A CORONIAL DOCUMENTS

- A1 Post-Mortem Examination Report
- A2 Post-Mortem Examination [Cause of Death Certificate]
- A3 Deceased Person's NSW Birth Certificate
- A4 Coroners Recommendation that Holding of Inquest 'Unnecessary'
- A5 Decision that Inquest is 'Unnecessary' by Dep of Justice
- A6 Report Concerning Death by Member of the Police Force
- A7 Blood Alcohol Content Analysis Certificate
- A8 Post-Mortem Examination Report
- A9 Woongarra Crematorium Documents Obtained
- A10 Decision that Inquest is 'Unnecessary' by Dep of Justice
- A11 Cold Case Review Report - Det Sergeant Dennien Qld Police

B QUEENSLAND POLICE SERVICE

- B1 QLD Police Scientific Section Ballistic File
- B2 Incident Scene Imagine [R1 to R5]
- B3 QPS Geospatial Solutions aerial locations of interest, Cairns North
- B4 Google Maps Streetview of IS on Lake Street, Cairns North 2
- B5 Google Maps Streetview of IS on Lake Street, Cairns North 2019
- B6 QPS Geospatial Solutions historical aerial imagery, Cairns North
- B7 Images - 1
- B8 Images - 2
- B9 Images - 3

C STATEMENTS

- C1 Statement of Kenneth SOPER
- C2 Statement of Glenn Gary GRAHAM
- C3 Statement of Duncan GROVER including Addendum dated 31/01/2021
- C4 Statement of Elizabeth GROVER
- C5 Statement of Roy GROVER
- C6 Statement of Stanley HANNAFORD
- C7 Statement of Susanne COLE
- C8 Statement of Arthur LAW

- C9 Statement of Rodney HUNKIN
- C10 Statement of Glen KANOWSKI
- C11 Statement of Edward KINBACHER
- C12 Statement of Bevan MANKTELOW
- C12.1 MANKTELOW Addendum Statement
- C12.2 MANKTELOW Addendum Statement
- C12.3 Re-enactment footage
- C12.4 MANKTELOW Addendum Statement
- C13 Statement of Sharon MACKEDIE
- C14 Statement of Craig LOCK
- C15 Statement - Addendum - KINBACHER
- C15.1 Kinbacher Grover Coronial annexures 1-3

D NEXT OF KIN

- D1 ATTACHMENT Associated corro between COLE and Attorney-General

Failure to adequately identify and describe the firearm used

- 56. The 1983 Form 4 report prepared by the attending constable commences "*At some time on the morning of 14/10/83 one Gwen Lorraine Grover was shot in her vehicle at the intersection of Lake and Rutherford St. Suicide is suspected*" A description of what was found in the vehicle includes "*empty stubbies and cigarette ash*". The constable concludes the report "*Careful attention should be given to the angle of entry of the bullet.*"
- 57. There is no reference to any firearm at all in that report. There is no mention of a firearm being found in the vehicle. One can reasonably infer that a firearm was involved because of a reference to Gwen '*was shot*' and to '*attention being given to the angle of entry of the bullet*'.
- 58. The Form 4 report is devoid of any reference to, or description of:
 - whether the '*shot*' was self-inflicted or not,
 - a head wound, or
 - any wound, or
 - a firearm or
 - ammunition.
- 59. The evidence linking a firearm to the scene is found in a series of photographs, the negatives of which were located for this inquest and prints made. The quality of the photographs are poor.
- 60. Five fresh photographs from five original negatives remain. It is accepted that one of the photographs is a double exposure, that is two exposures

in a single image. None of the photographs clearly depict the gun or ammunition and require interpretation.

61. The cold case ballistics review and report prepared by Sergeant Bevan Manktelow Scientific Section Queensland Police provides that interpretation and I turn to his evidence later in these findings.
62. No printed photographs have been located from 1983, and indeed they may not have been developed and printed at the time.
63. Those five photographs from negatives are annexed to Kinbacher's September 2020 Statement and depict:
 1. The Chrysler Galant registration 757 NXO in situ
 2. Inside the vehicle a handbag on a heavily bloodstained passenger seat with two NQ Lager stubby bottles visible and a box of ammunition under the handbag (image 002 in the Manktelow report)
 3. Mrs Grover slumped to the left in a prone side on position head on passenger seat (image 003 in the Manktelow report)
 4. A double exposed photograph closer up Mrs Grover slumped left side on towards passenger seat with her head laying on or adjacent to butt and trigger guard of a firearm (image 004 in the Manktelow report)
 5. Mrs Grover slumped to the left passenger seat clenching the barrel of the rifle in her right hand a centimetre or two from the muzzle

64. I accept from the scene photographs that a firearm was present in the vehicle. I accept that Mrs Grover was found holding the firearm (at the muzzle with her right hand). I accept that firearm was removed from the scene by police.

The link between Ken Soper and the firearm at scene

65. Ken Soper and Mrs Grover met approximately 6-7 months prior to her death (around March 1983). Mrs Grover and her children moved into Mr Soper's house soon after their first meeting. They contemplated marriage and in fact drove to New South Wales together to meet her family.

66. Soper says upon hearing of Gwen's death from his mother on either the 15th or 16th of October he spoke a police officer acquaintance who advised him police wished to speak with him and to attend the police station. (In his 1983 statement he says he became aware of Gwen's death on the Monday 17th).
67. He attended and was shown a firearm and ammunition which he positively identified as previously being in his possession. Arrangements were made for him to attend on 31 October 1983 to provide a statement. There is no police record of his first attendance.
68. On 31 October 1983 Mr Soper attended the Cairns Police Station and provided a statement prepared by officer Kinbacher, the same Constable who had prepared the initial death report.
69. Mr Soper deposed in both his 1983 statement and his 2020 statement and in oral evidence that the relationship with Gwen broke down due to an argument close in time to her moving out.
70. On the first version provided by Mr Soper, Gwen moved her belongings out of his Sturt Street home on Wednesday 12 October 1983, and he last saw her at about 6.00PM that day.
71. In his 2020 statement Mr Soper deposes that Gwen moved out with her boys about one week prior to her death.
72. In oral evidence Mr Soper she may have moved out two weeks prior to death.
73. Two witnesses (Elizabeth Grover and Sharon Mackedie) both separately depose to helping Gwen move her belongings into 177 Lake Street on the day of, and into the evening of, 13 October.
74. It is possible that Mrs Grover first physically moved out with her children for a brief period and then returned to collect her belongings on 13 October although the weight of evidence suggests her moving belongings from Sturt Street to 177 Lake Street over the course of the Wednesday and Thursday immediately prior to her death on the Friday.
75. On 31 October 1983 Mr Soper signed off on a statement deposing to the following:
 - *On the morning of 31/10/83 I was shown by police a rifle which was used by Gwen in the suicide, it was my rifle and I had last*

seen it in the spare bedroom of my house. On the morning of Friday, 14 October 1983, I noticed when I rose that my bedroom cupboard had been opened sometime during the night and a 0.325 calibre rifle had been taken out of the cupboard and lent against it. I assumed at this time that it sometime during the night I had open the cupboard and remove the rifle for unremembered reasons. On the morning of Monday, 17 October I was informed by police of the deceased's suicide. It was then that I realised that the 0.325 calibre rifle which had been removed from my cupboard on 14 October must have been moved by the deceased while she was searching for either the rifle or ammunition for it. The rifle was located by the deceased in a spare bedroom and I believe the ammunition was obtained from the glove box of my car, my car is open at all times when it is parked in my yard. Only after being informed by police did I noticed that the articles (sentence incomplete).

76. Mr Soper provided a further statement in August 2020 deposing that the information regarding the description of the rifle in his first statement 37 years prior was incorrect and the firearm taken from his home was a .22calibre that belonged to Mr Glenn Graham. Soper stored the rifle in his Westcourt home where Gwen had lived with him for a few months prior to her death
77. I accept that for whatever reason the description of a .325 calibre firearm was incorrect. I accept that Mr Soper has not ever owned or been in possession of such a weapon and deposes to not having any knowledge of such a rifle.
78. I accept that the reference in Soper's 1983 statement to a .325 rifle is a clear error. That error has unfortunately created much confusion and distress to the family and infected the coronial investigation for some time. Suggestion of a .325 or of a Mauser rifle which are hunting and / or military style firearms seemed to take on a life of their own and it is understandable that the family could not reconcile the Soper statement with the forensics.
79. The incontrovertible evidence is that the bullet located within Mrs Grover during post mortem examination and excised was identified as a .22 calibre projectile.
80. What is difficult to reconcile is how, when the physical rifle was actually in the police station and shown to Mr Soper during the course of the interview, and when the scientific section had by then completed the

cartridge and projectile examination and report 4 days prior confirming a .22 calibre, Soper's statement was infected by such a fundamental error and not questioned or remedied. Even if the person typing had no knowledge and has misheard or misunderstood the error was not detected – perhaps it was not read thoroughly and Mr Soper himself remained unaware.

81. There is some suggestion that female police officer actually typed the statement and that Kinbacher witnessed it although Officer Kinbacher's own evidence is that the statement is prepared with a style he identifies as his own.
82. Further Mr Soper makes absolutely no reference in 1983 to the owner of the rifle as Glenn Graham. That information is provided in Mr Soper's August 2020 statement at paragraph 24. Some weeks prior to Mrs Grover's death she and Mr Soper and her boys went camping and Mr Soper took Mr Grahams rifle. Upon return home he stored the rifle in the wardrobe of the spare room and kept the ammunition secured in the glovebox of his vehicle. Gwen knew of the location of both, although Mr Soper says Gwen never fired any of the twenty or so rifles he owned at that time. He cannot recall the make and model of the rifle but when shown pictures of Stirling Model 20 and a Sportco Carbine .22 he thought Glenn's rifle was more like the Stirling Model 20 because it had similar marking on the stock (although the barrel looked more solid).
83. Mr Soper in 1983 and in 2020 deposed to waking on the 14th and noting that Mr Graham's rifle had been moved from the spare room cupboard, he didn't think anything of it (thought he must have forgotten moving it) and returned the rifle to the spare room cupboard and prepared for work. Mr Soper was employed by NQEA at the time (North Queensland Engineers and Agents) as a Fitter and Turner and I infer from his 2020 statement that his work hours may have been from 8.00AM until 4.00PM.
84. Police located Glenn Garry Graham and took a statement from him in January 2021. He deposed to a friendship with Mr Soper and to owning a .22 semi-automatic rifle that he had placed the rifle in Ken's shed after returning from a camping trip to Mt Surprise with Gwen, Ken and her boys in October 1982.
85. A day or so prior to Gwen's death Ken told Glenn they had argued and she had left in the car. Glenn drove around looking for her and enquiring with friends. The following day Ken told Glenn he was starting to really worry as she had not returned. Later that day Glenn was told by friends

that Gwen was found deceased. Glenn recalls Ken telling him that Gwen had taken his rifle from the back shed.

86. It is clear that relevant dates and times and matters of fact do not align as between the versions of Mr Soper and Mr Graham. I am not persuaded that Mr Soper and Mrs Grover knew each other in 1982 as suggested by Mr Graham's reference to a camping trip. Mr Soper places a camping trip just weeks prior to Gwen's death, perhaps that was it, although one could not be sure. There is a discrepancy about the location of the rifle at the time – whether in the spare room cupboard or the shed. There is also no detail in Mr Graham's police statement about the make and model of the .22, just that it was a semi-automatic. Mr Soper has narrowed the firearm as most like a Stirling Model 20 when shown images by a police officer 37 years after he last saw it.

Gwen Grover's link to the missing firearm

87. I can conclude and do find on the evidence that:

1. Mr Soper was in possession of a .22 calibre firearm and ammunition at the time of Mrs Grover's death; and
2. The firearm belonged to Glenn Graham; and
3. Mrs Grover had access to the firearm and the ammunition; and
4. The firearm went missing from Mr Soper's premises (whether the wardrobe or rear shed) on the 14th October 1983.

Is the missing firearm the same as located at the scene

88. A ballistics review was undertaken as part of the wider cold case review. A Senior Sergeant forensic coordinator of the Homicide Investigation Unit assigned Senior Sergeant Bevan Manktelow to examine the available material and prepare a report. His report is exhibited at B12. Addendum reports, a re-enactment and relevant material are exhibited at B12.1; B12.2; B12.3 and B12.4 to the coronial brief.

89. Snr Sgt Manktelow makes the following observation in relation to Officer Kanowski 1983 report (I insert to clear up any misunderstanding arising from the terminology, it does not otherwise alter the facts of the matter in any material way)

- During his examinations, KANOWSKI recorded the weight of the damaged projectile as 1.98 grams (30 grains). He also recorded that the projectile was consistent with a 22 Long Rifle (22LR) calibre solid projectile. KANOWSKI recorded the presence of

rifling marks on the damaged projectile. In particular a single land impression and two (2) groove impressions and most likely 6R. This denotes rifling of six (6) land and grooves with a right twist. The notes for this rifling do have a question mark next to them which may indicate that this could not be confirmed. In my experience of the examination of fired projectiles it is not uncommon for the general rifling characteristics to be indeterminable due to damage.

- In KANOWSKI's statement he states that the projectile is consistent with being a 40 gram lead projectile. It is highly likely that the use of the term 'gram' is an error and should be '40 grain' lead projectile. Grains are a common unit of weight measure for ammunition components (1 gram = 15.43 grains) and 40 grains is a typical weight for a 22LR projectile. He further states that the projectile type was similar to the projectile in the unfired Remington brand cartridge.

90. In relation to the assessment of scene photographs Snr Sgt Manktelow provided the following opinion (italicised):

As part of the review, I was specifically asked to address the following questions;

- A. From the crime scene images is the weapon able to be identified?*
- B. From the crime scene images is the type of ammunition able to be identified?*
- C. From your experience any comments relating to the use of the nondominant hand to pull the trigger of a similar firearm or comments on the positioning of the firearm as per the crime scene images.*

From the five scene photographs there are three photographs (003, 004 and 005) which depict the firearm, however, only image 003 and image 004 show potentially discriminating features of the firearm. Image 004 is a double exposure which makes it very difficult to clearly identify what is depicted in the images. Cropped versions of both these photographs have been created and they focus on the parts of the photographs where the firearm is depicted. These are named as image 003 crop and image 004 crop.

Image 003 crop depicts what appears to be the underside of a rifle with a timber stock. With the firearm in this orientation the following features are recognisable:

- trigger guard,*
- magazine,*
- magazine guide plate,*
- stock screw (screw holding stock to barrel/receiver) and*
- checkering to pistol grip area of stock.*

Due to the double exposure none of these parts are very clear.

I conducted an examination of the Ballistics Unit Firearms Reference Collection (FRC) in an attempt to locate a firearm that shares the features seen in the scene photographs. I identified that 22 calibre rimfire semi-automatic rifle models of Sportco, Squibman, Stirling (Squires-Bingham) and Stirling (Arm Scor) manufactured rifles were the most similar. However, not one single firearm within the Ballistics Unit possessed all features observed on the firearm in the photographs. I took images of the underside of these firearms and annotated these with the features that are similar to those in the scene photographs.

This example of a Sportco Model 71A shown below does have some design features that differ from the scene photographs:

- The trigger guard does not curve back under itself.*
- The charging handle appears too large in diameter.*
- There is no checkering to the timber stock.*

This example of a Squibman Model 20DL shown below does differ from the scene photographs as it does not have a screw or similar on the stock in the same position as the scene images. In this model the stock screw is part of the magazine guide plate.

In both cases mentioned above it is possible that the characteristics of these makes and models of firearms can change over time. Also, a firearm model can have different grades based on it having different features. For example, an entry level rifle may not have any stock checkering whereas a higher grade of that model may have checkering.

Further research indicates that the Stirling (Squires Bingham) Model 20 rifles manufactured by Squires Bingham can have the features observed in the scene photographs, however, none of these examples are contained in the Ballistics Unit FRC. The

Ballistics Unit FRC is not exhaustive and does not have every possible version of a firearm. Using the Forensic Register, I have reviewed a number of images of Stirling (Squires Bingham) Model 20 rifles examined by the Ballistics Unit that shared the features with the firearm observed in the scene photographs. The below images are examples of Stirling (Squires Bingham) Model 20 rifles previously examined at the Ballistics Unit that share the same features as those in the scene photographs.

Due to the lack of detail in the scene photographs I cannot confirm the make and model of the firearm depicted, however, I believe it is similar in design and appearance to a 22LR calibre Stirling (Squires Bingham) Model 20 semiautomatic rifle.

Image 005 depicts the muzzle of the firearm . From this image it appears that there is a front sight fitted and the muzzle is crowned. A crown on a muzzle refers to various muzzle treatments meant to primarily protect the rifling. Image 004 depicts what appears to be an intact buttstock. The presence of the crowing, front sight and butt stock indicates it is likely that this firearm is an unshortened rifle.

The scene photograph labelled Image 002 depicts the inside of the vehicle and in particular the front passenger seat. On this seat is apparent bloodstaining, a handbag and an apparent box of ammunition. No labels or identifying marks can be observed on this box but it does appear to be a plastic box of ammunition. Within the box cartridges can be observed with their projectiles pointing upwards (see image below).

The lack of clarity of the image and the distance of the camera from the ammunition at the scene means I cannot confirm the ammunition type. However, the apparent size of the box means that .22 Long Rifle ammunition cannot be eliminated as the type contained within the box.

I did complete a search of the Ballistics Unit Ammunition Reference Collection and was able to locate a packet of 22 Long Rifle Remington brand Hi-Speed ammunition that was contained in a box that had a similar appearance to the one in image 002 (see image below).

The projectiles contained within this box are brass washed or coated. The notes of KANOWSKI do not mention a coated

projectile. I am unable to confirm if Remington sold a similar type of ammunition box with cartridge loaded with solid lead projectiles. Without closeup images of any label or identifier on the box I am unable to confirm what type of ammunition is depicted within the scene photographs.

PART 4 - SUMMARY

4.1 Given what was available to me for the review of the ballistics/firearm information, the following is a summary of my findings:

- A. I am unable to confirm the make and model of the firearm within the vehicle. I cannot exclude a 22 Long Rifle calibre Stirling (Squires Bingham) Model 20 semi-automatic rifle as being the make and model of firearm depicted in the crime scene images. Other make and model firearms that share the same design features may exist including firearms with different action types.*
- B. I am unable to confirm the type or make of ammunition depicted in the image of the passenger seat of the vehicle. I cannot exclude Remington brand 22 Long Rifle ammunition as being the ammunition depicted in the crime scene images, however, without closer images of any identifiers or the cartridges this cannot be confirmed.*
- C. I am unable make more than very limited comments regarding the position of the rifle in the scene images and the use of the nondominant hand to operate the trigger.*

- 91. Senior Sergeant Manktelow conducted an examination including reconstruction testing to assess the ability to operate a rifle within the confines of a vehicle with the non-dominant hand, and therefore establish the probability or not of Mrs Grover to do so.
- 92. In oral evidence Senior Sergeant Manktelow deposed that Mrs Grover's death is consistent with a self-inflicted gunshot wound and that the death was mechanically possible. His opinion is based on a re-enactment utilising a female subject (within the spectrum of known height range provided by the family) using a gun considered to be the type as located at the scene, and in the same vehicle (make model and year). Snr Sgt Manktelow considered that it was possible to operate a .22 calibre rifle with a non dominant hand within the vehicle. Senior Sergeant Manktelow advised that limitations to that testing included the unknown ability of Gwen Grover to operate the firearm and that because the firearm had not been identified its length could not be established.

93. I note that on 17 August 2020 Mr Soper was shown an image of a Sportco .22 and a Stirling Model 20 and at paragraph 26 of his statement recalled Glenn's rifle being more like a Stirling Model 20 as it has similar markings on the stock. The Stirling Model 20 is manufactured by Squires Bingham.
94. The re-enactment testing included a Stirling Model 20 although not the same version of the firearm (because the QPS Ballistics registry is not exhaustive).
95. However, a number of images of that rifle (various versions) are held by QPS, and upon review Snr Sgt Mankeltow identified an image of a Stirling Model 20 that shared the same features with the firearm at the scene (paragraph 3.12 of exhibit C12 and image on page 7 of C12).
96. The 1983 forensic findings in relation to the ballistics, the 2020 review undertaken by Senior Sergeant Mankeltow, the 2021 re-enactment, and the evidence of Soper and Graham in relation to the firearm, tend to a very high probability that the firearm located in the vehicle is that belonging to Glenn Graham, and in possession of Ken Soper at the time of Gwen's death.
97. I find that the firearm missing from Ken Soper's residence on 14 October 1983 was the firearm located at the scene of Gwen Grover's death. It can be found conclusively that the firearm was a .22 calibre, and I find it is more probable than not that the make and model of the firearm is a Stirling (Squires Bingham) Model 20.

The scene re-enactment

98. The reconstruction of the scene clearly demonstrates that a female with the height characteristics of Mrs Grover can, in the confines of that make and model of car, position a .22 rifle so that while sitting in the driver's seat, the muzzle would touch the left temple; the left hand can comfortably reach the trigger, the right hand can wrap around the muzzle, and the requisite pressure can be applied to self discharge the firearm.
99. It was raised on behalf of the family that without knowing Mrs Grover's exact arm length such a finding could not be made. I do not agree, there is nothing to suggest that Mrs Grover had any physical characteristic or deformity that might put her outside an average range.

100. The original post mortem findings prepared by Dr Ramsay in fact recorded Mrs Grover's height as '*167 cms; slight build; nutrition good and female of about stated range*'. It is only because Ms Cole advised this office that she believed her sister was closer to 160cm in height that the female test subjects were chosen across a spectrum of heights 163.5; 159.5 and 155.7. The smallest test subject was 4.3 cms smaller than the height suggested by Mrs Grover's family, and 11.3 cms smaller than the height I would otherwise have accepted from the autopsy report. The subjects chosen in my view provide a reasonable cross section of heights (and therefore arm reach) within the information known.

Conclusions of cold case review

101. Detective Sergeant Adam Dennien the Officer in Charge of the Cold Case review Team concluded:

- an absence of detail within the original coronial documents,
- documents of significant importance were located during the cold case review including scene photographs; toxicology analysis; post mortem examination report;
- important witnesses who may have been able to elaborate on Gwen's last movements have since passed away;
- positive identification of the weapon used was not / cannot be positively identified although the evidence is of a .22 calibre rifle.
- No evidence or information obtained contradicted the original finding (of suicide by self-inflicted shotgun wound).

Remaining concerns of Applicant sister

102. Much of the relevant material and information before the inquest was not available to Ms Cole when she applied to the Attorney General nor the outcome of the cold case review provided in January 2021.

103. Ms Cole accepts the following information previously not available or understood could be accepted (summarised):

- Gwen's post mortem toxicology report;
- That Mr Lock found Gwen;
- That the firearm located at the scene was returned to Mr Graham;
- That the Chrysler Galant Sedan in which Gwen was located was returned to the legal owner (Mr Lane);

- That the issue of the .325 calibre bullet had been addressed by the addendum statement of Soper and there was now no mistake in relation to the firearm being a .22 calibre;
 - Mr Graham clears up that the firearm was always a .22;
 - Re-enactment indicates it is (mechanically) possible for a 5'2" person to self discharge the rifle in the manner described.
104. Ms Cole remains concerned that the exact make and model of the firearm could not be established beyond reasonable doubt.
105. I earlier found within these findings, at the requisite standard, that it is more probable than not the relevant firearm is a Stirling (Squires Bingham) Model 20.
106. Ms Cole does not believe that the gunshot wound sustained was self-inflicted. Ms Cole says that in her heart Gwen did not take her own life and that she thinks somebody else shot her, and that it may have been Mr Soper.
107. The eternal puzzlement for Gwen's siblings is that they did not know her as a person to drink alcohol; she grew up in a strict home that disavowed firearms; and her actions were entirely out of character.
108. Ms Cole when responding in evidence to a question from Mr Hollands of Counsel representing the Queensland Police Union as to the 36 year delay between her sister's death and her Application to the Attorney General said:

"I have discussed it with family members over the years and we were always under the understanding that there'd been a full investigation into Gwen's death. After she died, my father called the Cairns Police Station a few days after she died and was told, you know it had been investigated, and in any case you're wasting your time because all the evidence has been destroyed, meaning her body. But it's weighed on my mind so heavily over the years and none of us are getting any younger, that I decided that before I got too old, that I would really just like to try and see some evidence myself to hopefully set my mind at rest before I died as to what had happened to her. So that is when I made an application under the Right to Information for those documents"

109. Ms Cole was held a belief that the Constable who attended Gwen's death (Kinbacher) knew both Duncan Grover and Ken Soper and somehow their association or collusion had contaminated the evidence and any prospect of getting to the truth.
110. After considering all of the evidence I **find** that neither Ken Soper or Duncan Grover know Officer Kinbacher other than from their initial and cursory interactions at the time of Gwen's death some 38 years ago, and then only in a professional capacity as the investigating police officer. Notwithstanding that the officer now holds the rank of a Detective Senior Sergeant he has not influenced the investigation into the death of Gwen Grover in any way, either then or now.
111. It is perhaps timely then to also consider the issue of whether or not Duncan Grover and Ken Soper knew each other at the time of Gwen's death. I find they did not. They knew of each other's existence but did not socialise or interact prior to Gwen's death. Since those tragic events they have maintained some connection including travelling to her funeral service in NSW together. Ken Soper has maintained a connection with Gwen's children including invitations to attend their weddings.

Gwen's life – the macroscopic view

112. Many people were, have been, and continue to be, affected by Gwen's death including her birth family, her children, former husband and partners, their partners, and her friends. Intimate details of both living and deceased persons were revealed and robustly examined during the evidence in these proceedings.
113. There were several very personal matters about which a number of witnesses were asked to speak. It was apparent from the evidence that Gwen was a very private person. At times I sensed it was akin to ripping a dressing from a wound, matters that people would never think aired after so many decades had to be recalled and recounted with precision, such precision at times I found unreasonable.
114. Some memories have become blurred, some dates were hard to connect, some versions of events hard to reconcile. For the sake of not revisiting the more sensitive matters within Gwen's relationships more than once I have upon reviewed the evidence and can reasonably infer as follows:

- Gwen and Duncan married when she was 16 years and the moved from country New South Wales to Cairns around then end of 1974 (Duncan recalls the date at around the time of Cyclone Tracy in Darwin) and together had two children;
- Duncan and Gwen separated sometime within the two year prior to March 1983;
- That during the period of separation Gwen returned to New South Wales with the children and lived with her sister Sue (the Applicant to these proceedings);
- It is possible that during this period in NSW Gwen harboured (a perhaps secret) hope that her marriage to Duncan could be reconciled;
- Duncan moved in with Betty Potter when Gwen moved away, Betty was a close friend to Gwen;
- That sometime between March 1983 and 12 October 1983 (after Gwen had returned to Cairns with the boys) she either became aware for the first time of a relationship between Duncan and her friend Betty, or was confronted by the reality of their relationship, (even if she had already known) when one evening (perhaps under the influence of alcohol) she attended Betty Potter's house, was invited in, and saw Duncan in Betty's bed. (Although the dates and the details differ, the event is deposed to by Sharon and corroborated by Betty and Duncan);
- Elizabeth Grover (Betty) recalls she and Duncan were together for 6 months prior to marriage – (therefore from about March 1983. I consider this probably about the time Gwen learned of their relationship, or that it was confirmed);
- Gwen met Ken Soper at a party around March 1983 and they formed a relationship immediately (apparently did not spend one night apart after meeting);
- Gwen and the boys eventually moved in Soper's home in Westcourt where they lived for a short time their separation;
- Duncan and Betty did not see as much of Gwen after that;
- Gwen moved from Soper's home to a flat at 177 Lake Street on or about 12 October 1983.
- Soper did not know to where Gwen had moved / was moving;
- The accommodation she had secured (presumably prior to leaving Soper's house) was described as unsuitable, almost uninhabitable and likely a reflection of her lack of financial means;
- Gwen sought the assistance of Betty to help her move from Ken Soper's, Betty used Duncan's trailer and together they moved belongings to 177 Lake Street all day (13th);

- The children were taken to their father's that night because the flat was a mess and not ready for the boys (three versions include either Betty collected them from school; Duncan collected them from the new flat; or Gwen delivered them to Duncan's)
- Sharon Mackedie and her husband also assisted Gwen to move into her flat on the 13th – neither Sharon or Betty were aware of the other helping Gwen to move that day, it is not unreasonable to conclude given the very specific memories of both women about that day, that they in fact both assisted at different times; they both knew the location of the flat; they could both describe the poor condition of the flat; certainly Sharon assisted later in the day and into evening after the children went home with their father (she deposes to Gwen wanting a drink that evening with her and her husband but they needed to return home to put their own child to bed); and although speculative perhaps the move was in fact done over two days being the 12th and 13th.

Circumstances in the 24 hours prior to Mrs Grover's death

Roy Grover

115. Roy Stanley Grover is now a 53 year old man, employed as a paramedic with the Queensland Ambulance Service for 36 years. He is the sole surviving child of Gwen and Duncan Grover. Roy did not wish to participate in these proceedings save for providing a statement to the cold case review team in July 2020. That statement is exhibited as C5. Roy was 15 years at the time of his mother's death. Roy deposes to his parents separating when he was in his early teens.
116. Roy says that he does not recall a great deal from the time around his mother's passing. They were then in the process of moving into a new apartment on the Esplanade in Cairns and Roy recalls it "*was a very dirty place*". (I am not sure when or for how long Roy spent time in the flat to make the observation). Prior to that they were living at Ken Soper's.
117. Roy recalls his mother was a smoker and drank beer so it didn't seem unusual when told by police that beer bottles and smoked cigarettes were located in the car when his mother was found.
118. Roy recalls the afternoon before his mother was located deceased, she drove him and his brother David (dec.) to his Dad's (Duncan's) place to stay the night with him and his de-facto (now wife) Elizabeth (Bet) Potter. Roy doesn't recall if his own memory, or from what he was told, that his

mother intended to go to her friends Lyn and Paul Lane (now deceased) for drinks and to stay the night.

119. He recalls his Mum's relationship with Ken Soper as having ups and downs and no physical abuse. He recalls that when his parents were together they would have some parties that lasted the whole weekend. He does not recall any domestic violence.
120. Roy recalls both his father and Soper having firearms. He recalls Soper having "*a little 410 shotgun and probably a .22 rifle*". Roy recalls he and David occasionally going shooting with Ken after his Mum was gone. He could not think of anyone that would want to harm his mother or what would make her feel that way.

Sharon Mackedie

121. Sharon Mackedie provided a statement and gave oral evidence at inquest. Sharon and Sharon's mother were very close friends of Gwen. Gwen was like 'her mother' to Sharon and they would see each other frequently. Gwen and the boys were living with Sharon at the time Gwen met Ken Soper.
122. Sharon's statement provided for the cold case review was the "*first occasion in almost 40 years she had been asked questions about the death*".
123. Sharon remembers Gwen as a hard worker and a very good mother and very protective.
124. Sharon knew Gwen to consume alcohol, she was a social drinker who would drink mostly on weekends. Sharon described Gwen and Duncan's relationship as 'a happily married unique little family when I first met them'. Duncan and Gwen separated around the time Sharon was pregnant with her first child. She recalls Duncan moving in with Betty Potter as he had nowhere else to stay, and that Betty and Gwen were close friends. Sharon's says that when Duncan and Gwen first separated it was not intended to be permanent.
125. By way of further background in her statement for these proceedings Sharon's memory is that Ken and Gwen lived together in his home for approximately only one month prior to her death, most of their time together was spent where Gwen was living with Sharon at Mulgrave Road. Gwen revealed to Sharon that Ken showered her with gifts and

Gwen didn't feel comfortable and did not believe the relationship would be long term.

126. The day of the move to 177 Lake Street, Sharon recalls Gwen being 'distraught' she was 'upset and vomited several times'. Sharon explained Gwen's distress as a result of emotional and financial difficulties, her concern for the boys and pending car payments and rent. Her cleaning job was not enough to live on. Sharon recalls that the flat was "*a real mess and not nice and looked really cheap*"
127. She recalls Gwen appeared to never get over her separation from Duncan and the subject came up most times they were together. Her recollection is that Gwen hated the thought of Duncan and Betty together. (This is at odds with versions provided by Duncan and Betty that Gwen had no difficulty with their union).
128. Sharon says that on the evening of 12 October Gwen 'caught Duncan and Betty in bed together'. Ms Mackedie implied this as a catalyst for Gwen's distress on the 13th. Sharon says she and her husband helped Gwen during the day of the 13th until about 10.30PM. Sharon recalls using their combi van and Gwen's car to do about 2 or 3 runs.
129. Gwen wanted Sharon's husband to stay for a drink however they had to get home to put their child to bed. Sharon describes Gwen that night as "*distraught, she wasn't in a good place*" and in a "*heightened state*" to the point where she wondered as driving away if she should return. Sharon recalls Gwen opening a stubby of beer before they left. Sharon thought Gwen took her life because she had 'had enough'. Sharon was not surprised at all that Gwen took her own life after what had been a very distressing day.
130. This information would tend place Sharon Mackedie as the last person to see Gwen Grover alive. However, I set out below evidence suggestive of the view that Gwen in fact met with friends Paul and Lyn Lane after the Mackedie's departed 177 Lake Street.

Elizabeth Grover also known as Betty or Bet (nee Potter)

131. Gwen and Betty were friends while Gwen was married to Duncan. Betty describes Gwen as a loving mother to her boys. Betty also recalls that "*Gwen would drink a lot, not spirits just beer.*"
132. After Gwen and Duncan separated Duncan re-partnered with, and later married Betty. It seems that although the evidence bears out that

Duncan and Betty may have only seen Gwen once during the period she was with Ken Soper, Gwen felt able to call on Betty to assist with the move into 177 Lake Street.

133. The first version ever taken from Betty was in August 2020 and the detail differs to her oral evidence provided at inquest in October 2021.

134. From paragraph 19 (exhibit C4) Bet deposes:

When Gwen moved back to Cairns I helped her move into a flat near Cairns Hospital about five doors away. I am not sure if it was a flat or just a small house. We went and got her property from Paul and Lyn LANE. She first stayed with them when she returned with the boys from down south. She was very good friends with the LANE' s and I recall they had two girls.

I recall she had a Valant that had four doors and was a light colour and was a 6 cylinder. I am not sure when, but she sold this car and bought Paul LANE's car which was a small car. I never saw her in this car.

We put all her property into the flat and organised to come back the next day to help her fit out her flat. On this afternoon she asked us to take the boys and they came with us until the next day for the rooms to be ready for them. We were still living in Murray street. Gwen wasn't drinking when we were moving her stuff in during the day.

I didn't know where she was staying that night, but thought she was just staying at the flat.

The next day I dropped the boys David and Roy off to school and then went to Gwen's flat and she wasn't there. I believed I arrived after dropping the boys off at the flat and Gwen wasn't there. The flat was locked and there was no cars there. I sat on the steps till about 9.30am and then went over to Paul and Lyn LANE's place. Gwen wasn't at their place but Paul was going off saying that she was a drunken bitch and she wasn't welcome back there anymore. I know that this would have affected her as she use to idolise them.

I went home and then rang the Hospital's and ambulance to see if Gwen had been there. Nobody had seen her, so I rang the Cairns Police Station which was on the Esplanade then. I spoke

to a Policeman at the station and they asked who I was and why I was looking for her. They didn't say anything they just asked where Gwen's husband was and asked if I could get in contact with him and I said yes. I then got onto the two way and called Duncan and asked him to come home. I told him the police want him to come home and that it was something to do with Gwen.

He came home and I can't remember if he went to the Police station or somebody came and picked him up. I can't recall how the boys got home as I think I was in shock. I can remember Roy was hugging me and sobbing and sobbing. I can remember he was crying that much that his noise was bleeding. David never said anything and just stood there. I can remember they went outside later and just sat there and talked.

Duncan came home later and told me that I just had to identify a body and then he started crying. I remember later Duncan, Roy and David were all talking and I just left them alone as it was a father and his sons.

After this David and Roy moved into a caravan that we purchased because we had all the other kids in the house. We had the funeral about a week later and Duncan and Soper then took the ashes down to the parents property.

I never saw Gwen with a firearm and I know that she hated firearms. Because I was told that she shot herself I was always wondering why she used a firearm when I know that she hated them so much.

I am not sure if I can provide any more information about Gwen's death. I am still very emotional about the whole situation.

135. The version provided by Betty in her oral evidence indicates the move was from Soper's as they had just broken up (as compared to the her statement which suggests the move occurred at the time Gwen returned from NSW).
136. On 13 October Betty used Duncan's trailer and she and Gwen moved her belongings on their own while Duncan was at work.

137. Betty recalls Gwen had just broken up with Soper and was “*distressed about everything, the breakup, the move and not having it sorted out.*” Betty recalls the flat was ‘*not very nice accommodation and not clean*’.
138. Betty doesn’t recall Duncan coming to the flat at 177 Lake Street that day, her evidence is that she collected the boys from school and took them home on the 13th.
139. I accept that although the versions differ such can be explained by the passage of time and not an intention to mislead. I accept the event which triggered the move to 177 Lake Street was the separation from Soper on 13 October.
140. The other difference is the detail as to whether the boys were taken by Duncan and Betty from 177 Lake Street on the afternoon of 13 October or whether Betty collected them from school. Either way the boys did end up at their father’s home that evening.
141. Bet recalled in her oral evidence Duncan sharing a conversation with her (after the handover of the children that evening) wherein Gwen said to Duncan words to the effect “*If something happens to me promise me you will look after the boys*”.
142. Roy recalls that his mother was to meet up with the LANE’s (family friend’s) that night (although cannot be sure that was from his own memory).
143. Paul and Lyn Lane are now deceased. Their version of events is not available. On the evidence either Paul Lane or Mick O’Shea financed the purchase or were guarantor of the Valiant Galant in which Gwen was located.
144. Paul Lane and Sharon Mackedie’s father, Mick O’Shea, are brothers (with different mothers).

Duncan Grover

145. In addition to the known facts Duncan Grover deposed in oral evidence that:
 - Gwen was a happy person and loved her boys;
 - During their marriage he let Gwen fire a shot out of one of his rifles he thinks was a high powered .222, she gave it back and did not like the experience;
 - Gwen and Sharon Mackedie (O’Shea) were drinking buddies;

- He and Gwen separated on a trial basis in 1982 and he went to live with Betty and commenced an intimate relationship with her sometime later;
 - Gwen turned up at Betty's house late one night with a '*few beers under her belt*' (this is the occasion referred to above where she was invited in by Betty and saw Duncan).
 - After separation the boys would stay with him (and Betty);
 - Was surprised when her relationship with Ken Soper ended he thought they were compatible.
146. Duncan in his statement to the cold case review in August 2020 and in oral evidence deposed to a conversation with Gwen on the afternoon of 13 October 1983 when the boys came into his care because their new rooms at 177 Lake Street were not ready. He says while at Gwen's collecting the boys she said to him "*Promise you'll look after the boys*" I said "*yeah no problem of course I will*". Gwen said "*no I mean if anything happens to me you'll look after them*" She seemed to say this more seriously and I said "*Of course I will nothing's going to happen to you*".

Ken Soper

147. In addition to relevant aspects of the ballistics and firearm evidence provided by Mr Soper he offers the following evidence:
- Accepts being in a relationship for about 6 months with Gwen by the time they separated;
 - They were planning a future;
 - Last saw Gwen at 6.00PM on the evening of Wednesday 12 October 1983 when she was in the process of moving her belongings and gave no indication of her future intentions;
 - Did not see Gwen again from the time she left the house;
 - Stated Gwen used to drink a fair bit and smoked;
 - Gwen never drank at in her parents' home ;
 - Heard Gwen comment that 'Bet stole Duncan off her';
 - Did not know the address she was moving to or any knowledge of 177 Lake Street;
 - Regarding the firearm he recalls it most like a Stirling Model 20 retrospectively;
 - Ken owned about 20 firearms at the time;
 - He borrowed that particular firearm from Glenn Graham because it was a better gun to teach her boys to shoot;
 - Did not see Gwen handle the gun;

- Gwen had no problem with Ken teaching her boys how to shoot;
- He immediately recognised the gun and the ammunition when shown by police in 1983 after her death;
- Engaged in regular contact with Gwen's boys after her death and attended their weddings;
- A female police officer took his statement at the police station in 1983;

Submissions

148. Counsel Assisting the Inquest Mr Crawfoot submitted that the evidence at inquest would uphold the findings of the original Coroner BJ Scanlon that taking into consideration the comprehensive cold case investigation and new lines of enquiry, ultimately there are no suspicious circumstances and that Mrs Grover died as a result of a self-inflicted gunshot wound.
149. Mr Crawfoot submitted that the discharge of the .22 calibre weapon occurred whilst impaired by the effects of alcohol, (.15%) which would cause behavioural changes likely to impair the ability for rational judgement. Mr Crawfoot contended that the original police investigation was adequate and appropriate at the time, notwithstanding limited source documents available for inquest.
150. Mr O'Brien on behalf of the Commissioner Queensland Police Service accepted and adopted the submissions of Counsel Assisting.
151. Mr Hollands of Counsel on behalf of the Queensland Police Union and Det Senior Sergeant Kinbacher submitted that the correct investigative procedures were followed in 1983 notwithstanding that memories have since faded and documents cannot be located. He contends that Officer Kinbacher was the most junior officer at the time and was delegated the paperwork including the completion of the Form 4 and that oversight was provided via a chain of command from the station Sergeant up the line to an Inspector and Superintendent to provide checks and balances.
152. Mr Hollands submitted that the death occurred in a location which is the flight path for the Cairns Airport and that the re-enactment clearly indicated that Mrs Grover could have caused her own death and is consistent with her being found slumped in the vehicle with the left hand adjacent to the trigger and the right hand over the muzzle.
153. Mr Hollands summarised relevant evidence including the circumstances known from the evening prior to her death where Mrs Grover was clearly

distressed about having at some time prior attended Betty Potters and became aware of their intimate relationship. She was also distressed at the state of her small and dirty flat and concerned she could not afford to buy her boys school uniforms and meet financial commitments.

154. Mr Hollands submits that no person has since come forward, there are no Crime Stopper reports or any evidence that any person would want to harm Mrs Grover or benefit from her financially and therefore there was insufficient evidence to disturb the earlier determination that Mrs Grover inflicted her fatal injury.
155. Counsel for Mrs Grover submitted that overall the investigation and evidence was insufficient to exclude a suspicious death and contended that amongst other matters including that Mrs Grover's arm span could not be established (and therefore the possibility she could not reach the trigger), and because she hated guns, and that relevant factual matters did not line up that I should remain open to the possibility of contribution to her death by a third party.

Conclusions and Findings

Adequacy of the 1983 police investigation

156. The forensic aspects of the 1983 investigation including the post mortem examination and toxicology sampling by Dr JC Ramsay; the histology undertaken by Dr Ansford and the ballistics examination of Officer Kanowski were all performed to an adequate and expected standard.
157. I now turn to the 1983 police investigation which I consider perfunctory. I accept that a Form 4 report of death was completed. The summary provided therein was inadequate to piece together the circumstances without relying on or obtaining further information. I could not establish from that document a description of either the site of the wound or the gun located at the scene. One infers from reading the summary the death was by way of self-inflicted gun shot.
158. The summary concludes that enquires are continuing. From that time a post mortem and other forensic testing including ballistics were undertaken and completed. In addition a statement was taken from Ken Soper. It was witnessed by Officer Kinbacher who accepts a female was working with him that day and may have typed the statement. Ken Soper recalls a female taking the statement. Either way by then it was known that a .22 bullet had been retrieved from Gwen and police had in their possession a 22 rifle and ammunition which was identified positively by

Mr Soper, yet the statement was infected with a reference to a .325 weapon twice.

159. I completely accept and understand the distress felt by Gwen Grover's siblings when trying unsuccessfully all the pieces of the puzzle together with reference only to the Form 4 and the post mortem report. How did such a mistake come about when Ken Soper does not know what a .325 is and did not ever own one. How can it be that was reduced to writing when the police were there in front of him showing him a .22 weapon.
160. That there was no further enquiry to locate Mr Lock, the finder, resulted in a lost opportunity to obtain a version and description of the death scene. He recalled her sitting bolt upright. The police photographs depict her slumped to the left passenger seat and there is no description at all within the Form 4 of how Mrs Grover was placed within that scene on arrival.
161. Further there are no statements taken from the last to see, and in fact the last to see is not known. It may be Ms Mackedie at 10.30PM on 13 October or it may be with reference to Elizabeth Grover's statement that it can be inferred that Gwen was in contact with Paul and Lyn Lane immediately prior to her death.
162. Gwen's movements from 10.30PM until being located have not been established. Mr Lock cannot recall the time he found Gwen on the 14th, just that it was some time in the morning.
163. The police record the death was reported to them at 1.00PM and state the time of death as 12 midday or earlier. All of that could have been cleared up with bookend statements from the last to see, and the finder.
164. Contemporary coronial investigations would require a statement from the finder, the last to see, and other relevant persons.
165. Current coronial investigations require a next of kin to be nominated. It seems from the material before the Inquest that police considered that speaking with Gwen's ex-husband from whom she had been separated by then for up to 2 years, speaking with a short term boyfriend from whom she was also separated, was sufficient for the purpose.
166. In the same circumstances, current practice in coronial investigations would usually require a member of the deceased's biological family to be nominated as a next of kin. Gwen's family were not contacted by

police or the Coroner's office at the time and again I accept the lack of information caused them great distress.

167. Exhibit D1 page 7 is a letter from a Cairns town agent Riba and Dent, dated 21 October (1983), engaged by Gwen's family solicitors in Gunnedah confirming they have undertaken the enquiries into Gwen's death as requested. It is the case that Gwen's father Mr S Hannaford did all he could at the time to try and obtain relevant information.
168. The paucity of information arising from the original police investigation is an issue for the QPS as a whole and not any individual officer. I am advised and accept that the reporting officer was the most junior and that a chain of command provides the necessary checks and balances. I could not find any review of the matter by a more senior officer. It is possible that relevant documents existed and have been destroyed with the passage of time. There must have been covering reports signed off up the chain for the matter to progress as it did to the Coroner's Office.
169. I find the ultimate conclusion of the 1983 police investigation was sound in relation to a finding of suicide, and that although the investigation reached a threshold of adequate, the investigation was left vulnerable because not all reasonable and relevant available evidence was obtained.

Inquest Findings into circumstances of death

170. I find that Gwen Lorraine Grover a 32 year old woman died sometime prior to 12.00 noon on 14 October 1983 at Lake Street approximately 125 metres south of the Rutherford Street intersection Cairns North from cerebral destruction caused by a self-inflicted bullet wound to the head. Her death is due to suicide. She was affected by alcohol at the time, her toxicology analysis being .15%, or over three times over the current legal limit for driving. Her behaviour and rational thought was most certainly then compromised.
171. At the time of her death Mrs Grover was a single mother of two children. She was overwhelmed by the circumstances of her life including the previous breakdown of her 16 year marriage and despite a separation of almost 2 years I am inclined to the view that Mrs Grover held out some hope of reconciliation to Duncan upon her return to Cairns, or that in any event the realisation that he became intimately involved with her close friend Betty caused her great suffering. Her emotional state was

compounded by the recent breakdown of a new and very short relationship to Ken Soper.

172. The evidence bears out that Mrs Grover was bereft on the evening of her death during the period she was setting up in a new flat. The court was left with the sense that the flat was small and dirty and I noted both Betty Grover and Sharon Mackedie had a visceral reaction when describing it to the court. Mrs Grover was concerned about the unsuitability of the accommodation for her boys.
173. Despite hard manual cleaning work Mrs Grover had few financial means and her only possession of worth was a vehicle purchased for her under hire purchase arrangement by a friend to whom she was making payments. The pressures of her life were largely unknown at the time to her siblings and they have been shocked and saddened to learn of her use of alcohol, and her dire personal circumstances, which is at odds with the happy and resilient sister they knew.
174. In the late afternoon of 13 October 1983 she arranged with the children's father Duncan for them to stay the night with him because their rooms were not yet ready. When handing over the children she said words to the effect "*If something happens to me promise me you will look after them*". Mr Grover was taken aback by the request and said of course he would, and then she repeated her request even more earnestly.
175. Mr Grover relayed that conversation soon after to his now wife, Elizabeth. They both have a very clear memory of those conversations.
176. Mr Ken Soper and Duncan and Elizabeth Grover did not know each other perhaps having only met once in passing during Soper's brief relationship with Gwen.
177. Sharon Mackedie gave evidence of last seeing Gwen at 10.30PM on 13 October 1983. But for the inference that Gwen may have later met up with the Lane's, Sharon would be considered the last to see Gwen. Of that I cannot be sure. Gwen's movements between 10.30PM and the time entered into the police Form 4 as 12 midday 14 October cannot be accounted for.
178. Ken Soper woke sometime on 14th October and saw that his gun had been moved from the wardrobe he was confused but thought nothing further of it and went to work that day. Paragraph 21 of his statement was not challenged, that he went to work on Friday 14th and then to a hotel afterwards to drink with a friend.

179. I accept that evidence and therefore conclude that Gwen removed the gun and ammunition from Ken Soper's house (to which she had access) sometime on the morning of 14th October, likely after he departed for work. She then drove to the location situation near the intersection Lake and Rutherford St North Cairns and from the evidence of beer bottles and cigarette ash either had been drinking and smoking previously in the car, or from the time she arrived, setting up the firearm in the way described in these findings.
180. Any suggestion that Ken Soper was somehow directly involved in Gwen's death is debunked by the fact that Ken Soper had no idea of Gwen's whereabouts from the time she departed his Sturt Street home at 6.00PM on 12 October 1983 or that she had set up flat at 177 Lake Street. Ken Soper has never been considered a suspect, any suggestion that he staged or was somehow involved in Gwen's death was not seriously pursued at Inquest. No alternate theory was pursued at inquest. I find no other person contributed to, or caused, Gwen's death.
181. Mrs Grover was experiencing a significant situational crisis at the time of her death. Regrettably the potential to explore what had happened between 10.30PM the night before and her discovery is now lost. It is possible that she further interacted with her close friends the Lane's and that information may hold the key.
182. I extend my deepest and most sincere condolences to Gwen's sister Ms Susanne Cole the Applicant to these proceedings. She has tenaciously pursued answers to her sister's death on behalf of the Gwen's surviving siblings.
183. I also extend my condolences to Roy Grover and to Gwen's wider family, and to all who cared for, and about her, in her lifetime.

Findings required by s. 45

Identity of the deceased – Gwen Lorraine Grover

How she died – I find that Gwen Lorraine Grover a 32 year old woman died sometime prior to 12.00 noon on 14 October 1983 at Lake Street approximately 125 metres south of the Rutherford Street intersection Cairns North from cerebral destruction caused by a self-inflicted bullet wound to the head. Her death

is due to suicide. She was affected by alcohol at the time, her toxicology analysis being .15%, or over three times over the current legal limit for driving. At the time of her death Mrs Grover was overwhelmed by the circumstances of her life and experiencing a significant situational crisis.

Place of death –

Intersection Lake and Rutherford Streets
CAIRNS QLD 4870 AUSTRALIA

Date of death–

14/10/1983

Cause of death –

Cerebral destruction caused by a self-inflicted bullet wound to the head

I close the inquest.

Nerida Wilson
Northern Coroner
CAIRNS