

CITATION: *Inquest into the death of Richard Ken Roe*  
[2024] NTLC 15

TITLE OF COURT: Coroners Court

JURISDICTION: Darwin

FILE NO(s): D0209/2021

DELIVERED ON: 26 November 2024

DELIVERED AT: Darwin

HEARING DATE(s): 21 – 23 May 2024

FINDING OF: Judge Stephen Geary

**CATCHWORDS:** **Suspected death; missing person;**

**REPRESENTATION:**

Counsel Assisting: Ms Sally Ozolins

Counsel for the  
Northern Territory Police: Ms Fiona Kepert

Judgment category classification: B  
Judgement ID number: [2024] NTLC 15  
Number of paragraphs: 121  
Number of pages: 22

IN THE CORONERS COURT  
AT DARWIN IN THE NORTHERN  
TERRITORY OF AUSTRALIA

No. D0209/2021

In the matter of an Inquest into the  
suspected death of

**RICHARD KEN ROE**  
**ON OR ABOUT: 2 NOVEMBER 2016**  
**AT: LAKE BENNETT, NT**

**FINDINGS**

Judge Stephen Geary

**Introduction**

1. Richard Ken Roe was last seen by people who knew him on the night of 1 November 2016. On the morning of 2 November 2016, a person matching Mr Roe's description was seen in or around a vehicle believed to be his dark blue/grey Holden Commodore station wagon by various people on Chinner Road in the Lake Bennett area. The man believed to be Mr Roe had indicated that he was having trouble with his car, having either a flat battery or that he had run out of fuel.
2. Mr Roe has not been seen since that time.
3. Mr Roe's vehicle was subsequently located (apparently abandoned) 100-200 meters south of Chinner Road (leading to Lake Bennett) and the Stuart Highway and was removed by the Department of Infrastructure, Planning and Development (DIPL) as an abandoned vehicle on the morning on 4 November 2016.
4. Mr Roe's mother, Christine Roe formally lodged a missing person report on 22 November 2016. His disappearance has had a significant impact on Mr Roe's family. They believe that he has passed away however, they want to know what happened to him so that they might have some closure.
5. The inquest into the disappearance of Mr Roe was held at Darwin Local Court on 21-23 May 2024. Counsel assisting me was Ms Sally Ozolins. Ms Fiona Kepert appeared as Counsel for the Northern Territory Police Force.

6. Eleven witnesses were called to give evidence. In addition, six volumes of evidentiary material including statements from other witnesses and other exhibits were admitted into evidence.

### **Relevant background**

7. Mr Roe was born on 18 July 1976. He was the eldest of three sons born to Christine and Colin Roe.
8. Mr Roe and his brothers were all raised in Darwin. He attended Darwin High School, completing year 11. He was known as a social and engaging person and played both Australian Rules football and Rugby League competitively. He lived with his family up until he was about 18 years of age when he obtained full-time employment and moved into a share-house with friends.
9. In his early 20s, Mr Roe entered into a relationship with a woman named Sarah with whom he had a son in 1997.
10. Mr Roe was known to use cannabis socially in this period and by the time he was about 25 or 26 years old, it became apparent to his family that he had developed a drug problem, and his drug use had escalated to the use of methamphetamine.
11. Following the end of his relationship with the mother of his child, Mr Roe formed a new relationship with a woman with whom he went on to have two sons. His family observed that during the eight years that Mr Roe was in this relationship, he was not using drugs, he was working full time, and to his family, he appeared to be “back to his normal self”.
12. In or about 2011, a close friend of Mr Roe’s committed suicide and it seems that this event was the catalyst for his descent into significant drug use and dependency, and ultimately the demise of his relationship with the mother of his two younger sons.
13. In or about August 2015, Mr Roe entered into a relationship with Margaret Hewitt which continued until his disappearance in early November 2016.
14. Evidence obtained during the investigation indicates that prior to his disappearance, Mr Roe was involved to a significant extent in drug use and dealing, specifically ‘ice’ and that he used and sold ice regularly. The evidence also indicates that Mr Roe engaged in drug debt collection for others involved in the drug trade which involved collecting cash or goods on their behalf to service drug debts. However,

there is also some evidence to suggest that on occasion, Mr Roe used goods collected on behalf of others to pay his own drug debts.

15. Whilst Mr Roe's family was aware that in the later part of his life, things were spiralling out of control, his mother, and other family members confirmed during the inquest that despite his troubles, he stayed in contact with his parents, calling his mother at least once a week or calling in to see them at home and it was clearly a very loving relationship. The last time Mr Roe's family saw him was on 24 October 2016 when he attended at his parent's residence to visit them.

## **Disappearance**

16. In the late afternoon or evening of 1 November 2016, Mr Roe attended at the residence of Wayne Purtell and his partner Kylie Hillyer to purchase drugs. He was seen using his mobile phone whilst at their residence and was heard speaking to a person believed by them to be Margaret Hewitt. When Mr Roe left the residence, he (presumably accidentally) left his phone on the roof of a car parked in the driveway.
17. Between 9:30pm and 10:00pm on 1 November 2016, Mr Roe attended at the house of Rebecca King at Palmerston where Leonie Hewitt was also present. It is understood that Mr Roe sought to borrow some money for fuel and at 10:08pm the three attended at the PUMA service station at Palmerston where Mr Roe put petrol in his car, paid for by Ms Hewitt using Ms King's BASICS card.
18. Mr Roe then dropped Ms King and Ms Hewitt back at Ms King's house and left. There is some evidence to indicate that he told Ms King or Ms Hewitt that he was going to pick up his phone from a friend (the clear inference being to return to the residence of Wayne Purtell), however his movements after dropping the two women off on the night of 1 November 2016 are unknown.
19. On the morning of 2 November 2016, a person matching Mr Roe's description was seen in or around a vehicle believed to be his dark blue/grey Holden Commodore station wagon by various people on Chinner Road in the Lake Bennett area, the earliest being at about 7:30am – 7:45am. Witnesses reported that the man believed to be Mr Roe had indicated that he was having trouble with his car, having either a flat battery or that he had run out of fuel.
20. Mr Roe's vehicle was located (apparently abandoned) 100-200 meters south of Chinner Road (leading to Lake Bennett) and the Stuart Highway and was removed

by the Department of Infrastructure, Planning and Development (DIPL) as an abandoned vehicle on the morning on 4 November 2016.

21. The key to the vehicle was not in the car and has not been recovered.
22. On 21 November 2016, Christine Roe contacted a family member who was at that time a police officer, expressing concerns for Mr Roe as she had not seen or heard from him in several weeks – which was unusual. Officers were tasked to conduct a welfare check at Mr Roe’s residence at Leonino Road, Darwin River which they did, finding no signs of disturbance at the residence.
23. On 22 November 2016 Christine Roe lodged a formal ‘missing person’ report, and investigations into his whereabouts commenced.

### **Police investigation**

24. Police commenced investigations into Mr Roe’s whereabouts almost immediately after Mrs Roe reported her concerns to her nephew, Daniel Keelan who was at that time a serving police officer. In the days following the report, Operation Zuma was established. The operation involved identifying and interviewing potential witnesses, forensic examination of Mr Roe’s car, media campaigns to bring attention to Mr Roe’s disappearance and the identification of areas for ground search which searches commenced on 3 December 2016 and continued until 20 December 2016.
25. Investigators also examined and investigated ‘proof of life’, the outcome of which was evidence that Mr Roe had not accessed his bank account, Centrelink services, Medicare or other services since before 1 November 2016.
26. The evidence suggests that notwithstanding his involvement with drug dealing, Mr Roe was predominantly reliant on welfare payments received through Centrelink for income. His last contact with Centrelink was on 19 October 2016 following a cancellation of his payment the previous day due to his failure to lodge required paperwork for continuation of payment.
27. Investigators identified only one bank account for Mr Roe and this account was last accessed on 20 October 2016 when he withdrew \$215 from the Palmerston branch in the company of a person believed to be his cousin, Peter Reid.
28. The evidence indicates that Mr Roe had not accessed any financial, public or welfare services since 1 November 2016. No other forms of income, savings or

financial means were identified and some witnesses reported that at the time of his disappearance Mr Rowe owed significant amounts of money to people relating to drugs.

29. Further searches of identified areas and forensic examinations of the vehicle were undertaken throughout 2017, and a significant reward offered to anyone with information to offer which might assist locating or finding out what happened to Mr Roe did not produce any further or conclusive evidence of what might have happened.
30. Early in the investigation, police formed a view that for various reasons, Mr Roe was a “high-risk missing person”. Those reasons included that proof of life checks had not indicated any activity on Mr Roe’s bank account, that he had not accessed any services since he was last sighted, and his involvement in the ‘drug industry’. On-going risk assessments were undertaken throughout the investigation as information obtained from allied law enforcement agencies and service providers was updated.
31. The declaration that Mr Roe’s disappearance was a Major Investigation by police facilitated the allocation of resources which could be directed to media campaigns calling for public assistance, and the offer of a reward for information. However, according to the Officer in Charge of the investigation, Detective Senior Constable Glen Chatto, the media campaign and reward did not have the response that police had hoped for, and little credible or useful information was received. Rather, a large number of reports were no more than people sharing theories and rumours in relation to what might have happened to Mr Roe.
32. Several hypotheses were investigated by police including that Mr Roe had met with foul play due to drug industry associations, or that he had become disoriented after his car broke down in the Lake Bennett area and he subsequently perished in the conditions. In circumstances where there was no physical evidence of death, and in the absence of credible information in relation to the possible homicide of Mr Roe, significant questions remained.

## **Hypotheses**

33. During the inquest, Detective Chatto gave evidence that whilst a person apparently matching Mr Roe’s description was seen with (and near) his dark coloured Holden Commodore station wagon in the vicinity of Chinner Road on 2 November 2016, the last confirmed sighting of Mr Roe by someone who knew him was the night of

1 November 2016. The inquest received and heard evidence that investigators had developed and investigated two main hypotheses to explain Mr Roe's disappearance:

- (i) that Mr Roe was the victim of homicide noting that he was in a higher risk category for being a victim of homicide given his lifestyle and associates; or
- (ii) that he became lost or disoriented and through misadventure, he perished in the conditions.

34. Other alternative hypotheses have been considered, one of which is that Mr Roe voluntarily disappeared and has been living elsewhere. However, there is no evidence that Mr Roe had the desire, or the ability to do so. To the contrary, the evidence shows that Mr Roe has not accessed his bank account or government services since October 2016, he has not travelled on an airline or left the country, and he has not contacted his family with whom he was very close since that time. I do not accept that it is probable or likely that this occurred. Similarly, there is no suggestion or evidence that Mr Roe committed suicide.

**(i) *Homicide***

35. Mr Roe's involvement in the drug industry was confirmed by numerous witnesses who spoke to or provided statements to assist the investigation of his disappearance. Police identified a number of persons of interest who were rumoured to have had issues with Mr Roe, however the information received by police had various levels of reliability.

36. It seems apparent from the evidence that Mr Roe sourced drugs from more than one supplier. However, in the period leading up to his disappearance, Mr Roe was closely associated with Kenneth Jeffrey Drennon, Leonard Pearce and Wayne Purtell, all of whom separately acknowledged that they were drug users and suppliers and had interacted with Mr Roe.

37. Mr Drennon and Mr Purtell both gave evidence at the inquest. Mr Pearce was excused from attending due to serious health conditions.

38. The evidence given by Mr Purtell and by Mr Drennon at the inquest was at times inconsistent with information that each of them had previously provided to police and to some extent appeared to be given with a view to minimising their involvement or contact with Mr Roe in the lead up to his disappearance.

*Kenneth Jeffrey Drennon*

39. Kenneth Jeffrey Drennon, a Filipino born man who had been in Australia since 1991 (also known as “Kenny” or “Asian Kenny”) was identified during the investigation as a person of interest who may have had knowledge about the disappearance of Mr Roe. Several sources reported that Mr Roe was collecting drug debts on Mr Drennon’s behalf, and that he had an “axe to grind” with Mr Roe as Mr Roe owed him a significant amount of money. Also, according to some reports, Mr Roe had collected cash or goods for Mr Drennon but had not paid him, or given what he collected (on his behalf) to him.
40. In a statement made to police in December 2016 Mr Drennon said that he had met Mr Roe about two years prior and saw him “once in a while”, sometimes not seeing him for months at a time. He initially told police that on one occasion Mr Roe had taken a blue car to Mr Drennon’s house and offered it as collateral for a \$600 loan. According to Mr Drennon, he gave Mr Roe \$450 and kept the car and keys, expecting Mr Roe to return the next day. Several days later, he was approached by two men who claimed that the car belonged to their friend and subsequently, Leonard (Lenny) Pearce attended at his residence, paid the \$450 that Mr Roe owed Mr Drennon and took his car back. Mr Drennon’s statement was to the effect that that was the first time he had met Mr Pearce but that after that, he visited him a few times at Mr Pearce’s rural block.
41. Mr Pearce was interviewed by police in October 2018. He stated that he had known Mr Roe since they were teenagers but ended up catching up with him as adults whilst both were frequenting places where drugs were sold. Mr Pearce told police that Mr Roe introduced him to “Kenny”, a Filipino bloke who was “really good mates” with Mr Roe. He stated that up until that time he had been dealing in small amounts of drugs but after meeting Mr Drennon, he was “booking up” ounces at a time” From that time, his drug dealing spiralled out of control.
42. In his statement to police, Mr Drennon’s stated that Mr Roe worked for him mowing lawns for cash but he denied that he supplied Mr Roe with drugs:

*...sometimes when Richard had some ice he would come and we would have a smoke together and the same if I had some. It’s like the same as taking a drink to your mates place, but I was never supplying him with drugs.*



43. In evidence at the inquest, Mr Drennon admitted to selling drugs to a number of people but when asked if Mr Roe had sold drugs for him he replied:

*Not really...It's just one of those things that if I had some, then he will get some if I see him. Like he worked for that stuff sometimes.*

44. Mr Drennon told police that he had last seen Mr Roe on or about 26 October 2016 when Mr Roe had attended at his house at about 11:00pm and banged on his windows. Mr Drennon stated that he was angry at being woken up and told Mr Roe to go away. In a further recorded interview in March 2021, Mr Drennon acknowledged that on that night, he had been angry with Mr Roe and was armed with a machete.
45. Mr Drennon maintained that Mr Roe had no significant debt with him and denied that Mr Roe collected debts for him. During the 2018 interview, he told police that the last time he had seen Mr Roe was the occasion when Mr Roe arrived at his house in the blue car and offered it to Mr Drennon as collateral. However, rather than being for a loan of \$600 as he had previously stated, Mr Drennon said that he had given Mr Roe ice and expected that its value (\$600) would be paid by Mr Roe the next day.
46. During his evidence at the inquest, Mr Drennon stated in relation to the blue car that Mr Roe had taken it to his house, it was collateral for the supply of drugs worth between \$600 and \$800 *and* a cash loan of \$450. His evidence was to the effect that Mr Pearce retrieved the vehicle after paying him the \$450 Mr Roe owed him and that he did not tell Mr Pearce about the \$600-\$800 that Mr Roe owed him for the drugs.
47. Mr Drennon acknowledged in his evidence that Mr Pearce ended up selling drugs for him and that Mr Pearce owed him a significant amount of money.
48. Mr Pearce told police that in the weeks prior to Mr Roe's disappearance, Mr Roe had gone to his house and told him that he knew that he owed Kenny "big mob money" and that it had to be paid. Mr Pearce stated that he offered to pay a lump sum of cash and to deliver a camper trailer which was worth about \$8,000 to settle his debt with Kenny. Mr Pearce gave the cash to Mr Roe and delivered the camper trailer to him a few days later.
49. Mr Drennon denied asking Mr Roe to collect the debt from Mr Pearce and according to his evidence, Mr Roe had actually asked him if he wanted the debt collected from Mr Pearce and he told him "Don't worry about it". Mr Drennon stated that he didn't

know how Mr Roe knew that Mr Pearce owed him money and did not know anything about Mr Roe collecting a camper trailer and cash from Mr Pearce.

50. When giving evidence at the inquest, Mr Drennon admitted that he was closer to Mr Roe than he had previously acknowledged to police and that Mr Roe did work for him in exchange for drugs. However, he maintained that he did not engage Mr Roe to sell drugs for him because he didn't trust him when it came to money. He admitted that he gave drugs to Mr Roe for odd jobs but said that it was only small quantities as he was never certain that Mr Roe would pay him. Mr Drennon's evidence was that he was aware that Mr Roe collected drug debts for other people but denied that he had ever engaged him for that purpose stating that whilst Mr Roe had offered to collect debts for him, "there is no way" that he would have Mr Roe collect for him as he didn't trust him with money.
51. Contrary to that, Edward Cubillo (who knew both Mr Roe and Mr Drennon) stated in his evidence that whilst in prison together in 2016, Mr Roe had told him that upon his release Mr Drennon was going to "load him up" by which he meant that he would give Mr Roe drugs to sell to help him out. Mr Cubillo also stated that Mr Drennon had told him directly that he was "...seeking Richard's help to, yeah, collect money that was owed to him" for drugs. Mr Cubillo's evidence was that Mr Drennon had told him that Mr Roe owed him a lot of money, perhaps \$40,000 to \$80,000 as a result of letting Mr Roe "book up" drugs.
52. Mr Drennon denied knowing Wayne Purtell or his (then) de-facto partner Kylie Hillyer.

#### *Wayne Purtell*

53. The evidence suggests that Mr Purtell was a regular supplier of methamphetamine to Mr Roe. In his evidence at the inquest Mr Purtell stated that he first met Mr Roe about six or seven months before he disappeared with Lenny Pearce, and he agreed that most of his associations with Mr Roe were buying and selling drugs. He stated that "it was both ways" in that Mr Roe also supplied drugs to him. He maintained that it "was nothing big, it was only small amounts, like up to a G" which he estimated was worth about \$400.00. However, Mr Purtell gave evidence about an occasion where he gave Mr Roe about \$1000 worth of methamphetamine in exchange for a camper trailer. He stated he did not know where Mr Roe had obtained the camper but said that Lenny Pearce had attended at his house sometime after, telling Mr Purtell that the camper was his and was supposed to be delivered to someone else but it "didn't go to that point".

54. Initially, Mr Purtell also denied that he knew or had ever met Kenneth Drennon, and denied having any conversation with him during which he told Mr Drennon (in relation to Mr Roe) to “control his debt collector”. However, in the course of his evidence, Mr Purtell stated that he had been told that Mr Roe owed money to “Kenny” and said:

*... I knew – I knew that there was a debt – there was people talking around, saying that Richard owed this – I don’t know. You see, I don’t know this Kenny. So he said that he owed him a bit of money. But I heard that off other people. I don’t – I can’t recall knowing this Kenny at all. I don’t think I’ve ever talked to him. I can’t – yeah, I don’t know. Probably by face. If I see him by face I might, yeah. But I didn’t know that Kenny. Is he Asian or something or anything like that or - - -*

55. Mr Purtell went on to say that he had heard that Mr Roe owed “the Asian man” about \$15,000. He also acknowledged that the camper trailer was worth significantly more than \$1,000. He denied that Mr Roe owed him any money.

56. When giving evidence, Ms Hillyer stated that she was aware of Mr Roe delivering the camper trailer to the house she shared with Mr Purtell at the time and that it was delivered in exchange for drugs. Contrary to the evidence of Mr Purtell, Ms Hillyer recalled that sometime after Mr Roe delivered the trailer, a “short Asian fella” had attended at their property with about nine or ten other people and demanded that they hand over the camper trailer. Ms Hillyer stated in her evidence during the inquest that the man demanding the trailer “meant business”, telling them that Mr Roe had been collecting debts for him and that the trailer had been collected on his behalf and wasn’t Mr Roe’s to sell to them.

57. Both Mr Purtell and Ms Hillyer stated that the camper trailer remained at their house with Ms Hillyer stating that some sort of agreement was reached between Mr Purtell and the Asian man after Mr Purtell had made clear that he was not happy about being left out of pocket for the drugs that he had given Mr Roe in exchange for the trailer.

58. It might also be noted that Mr Pearce reported that a few weeks after giving the camper trailer to Mr Roe (and after Mr Roe had gone missing), he went to Mr Purtell’s house and saw the trailer. He said to Mr Purtell “That’s supposed to go to Kenny” to which Mr Purtell replied “No, he’s had a fall out with him”.

59. On the night before Mr Roe disappeared, he went to Mr Purtell's property to buy drugs. Mr Purtell gave evidence that Mr Roe appeared affected by drugs, was agitated and was constantly looking up the driveway as if he thought someone was following him. Mr Roe was talking on his mobile telephone when he arrived and appeared to be having an argument with someone. Mr Purtell stated that he didn't know who was on the phone but assumed it was a woman as he called the person a "bitch" (Kylie Hillyer recalled that Mr Roe said "you whore" to the person on the phone).
60. When Mr Roe left the property about half an hour after his arrival, he left his mobile phone on the roof of a vehicle that was parked in Mr Purcell's driveway. Mr Purcell admitted that he and his partner Kylie Hillyer took the phone and at some stage, Mr Roe's SIM was removed and replaced with a different SIM so that they could use the phone.
61. Mr Purtell stated in his evidence that he had been told by a friend that Mr Roe had been arrested and was in gaol so formed a view that Mr Roe would not need his phone. However, Mr Purcell and Ms Hillyer found out that Mr Roe was missing and "freaked out" so they made efforts to get rid of the phone.
62. It seems probable that Mr Roe was engaged in selling drugs and debt collecting for Mr Drennon on some level and did in fact receive cash and a camper trailer from Mr Pearce. From Mr Pearce's evidence, it might be accepted that Mr Roe told him (and he understood) that the cash and trailer were for payment of his debt to "Kenny". It also seems clear that Mr Roe then exchanged the camper trailer for drugs with Wayne Purtell.
63. Whether or not Mr Roe was genuinely engaged by Mr Drennon to collect debts on his behalf cannot be determined with certainty. However, it is clear that at least Mr Pearce understood that he was paying Mr Roe so that his debt to Mr Drennon would be settled.
64. Whether or not Mr Drennon was the person who attended at Mr Purtell's property sometime later (as described by Ms Hillyer) cannot be confirmed however, it seems a plausible and logical conclusion to draw. The evidence of Ms Hillyer – who had nothing to gain from giving evidence of "the Asian fella" visiting their house and wanting the trailer returned is persuasive. It is also not fanciful to conclude that Mr Drennon and Mr Purtell had some discussion about Mr Roe's conduct in collecting goods and not paying it to the person to whom the debt was owed.

65. Mr Purtell stated that he did not see Mr Roe again after he left his property on 1 November 2016 and had no knowledge what had happened to him. Other than the circumstances as outlined above, there is no evidence which persuasively links Mr Purtell to the disappearance of Mr Roe.
66. When speaking to police in March 2021, Mr Drennon was asked if he killed Richard Roe. His response was “I don’t think so”. When asked about this response during the inquest, Mr Drennon stated that the response was likely due to his English not being that good and what he actually meant was “no way”. It may be noted that Mr Drennon has lived in Australia since 1991, and he did not display any difficulties with English during his evidence. It must also be noted that “I don’t think so” can in some circumstances be used as a form of flippant denial to an accusation. Ultimately it is a curious but ambiguous response and the true meaning as Mr Drennon intended remains uncertain.
67. I am not satisfied that Mr Drennon and Mr Purtell were forthright in their evidence as it related to their interactions with Mr Roe and with each other in relation to the camper trailer, however there is just insufficient evidence to draw any conclusions as to the involvement (if any) of either Wayne Purtell or Kenneth Drennon in Mr Roe’s disappearance. To be clear, I make no finding that either may be guilty of Mr Roe’s murder, if he was so murdered.

#### *Meth Oil*

68. During the investigation information was received from multiple sources that at the time of his disappearance Mr Roe was in possession of a bottle of "Meth Oil". According to reports, the meth oil was hidden in bushland in the vicinity of Lake Bennett or Batchelor. Varying witness accounts indicate that the bottle may have held anywhere between a litre to five litres of liquid.
69. On 11 December 2016, Mr Roe’s partner Margaret Hewitt provided a statement to police. At that time, she did not mention anything about a bottle of meth oil however, on 13 February 2017, she spoke to investigators again and informed them that she had previously been too scared to provide information about it. She subsequently accompanied them to Crater Lake Road, near Batchelor and identified a location where she said Mr Roe had instructed her to hide a black suitcase behind an ant hill.
70. Whilst nothing of evidentiary interest was located during the visit, Ms Hewitt told police that there had been a bottle of liquid meth in the bag. During her evidence at

the inquest Ms Hewitt stated that at the time of hiding the bag, she did not know what was in it but that whilst at Sunrise Rehabilitation Centre in early 2017 she told Wayne Sultan about hiding a bag in the bush and they decided that they would go and see what was in the bag. She maintained that at the time of talking to Mr Sultan, she still did not know what was in the bag.

71. Wayne Sultan met Mr Roe whilst both were incarcerated in 2016 and according to Mr Sultan's evidence during the inquest, they became friends. Mr Sultan also gave evidence that separately, he became friends with Brendan Daly whilst in prison at around the same time.
72. Mr Sultan was released from prison on parole on 14 November 2016 and was admitted into Sunrise. He stayed there for a period of five to seven weeks before removing his electronic monitoring device (EMD) and absconding. His parole was revoked on 5 January 2017.
73. Mr Sultan gave evidence that on a day in the period between removing his EMD and being re-arrested, at Ms Hewitt's request, he attended at Mr Roe's residence with Ms Hewitt and Justine Cook before driving to Crater Lake Road near Batchelor to retrieve a bottle of meth oil. Mr Sultan said that it looked to him like Mr Roe's residence was wide open and had been ransacked. He also said that Ms Hewitt told him that she had been there several times since Mr Roe disappeared.
74. Contrary to Ms Hewitt's evidence that she did not know what was in the bag hidden in the bush, Mr Sultan said that Ms Hewitt had told him about the bottle at Sunrise and that she wanted to retrieve it. According to his evidence, he didn't know and didn't want to know anything about the bottle and initially, he denied that there was any arrangement with Ms Hewitt as to what they would do with the bottle when they found it.
75. Mr Sultan stated that when they got to Crater Lake Road, they drove up and down for about 40 minutes until Ms Hewitt identified a location where they should stop. Ms Hewitt then asked Mr Sultan to walk with her, which he did until she picked up a bag and carried it out to the car. On his evidence, he said to her:

*I don't want to know anything about that ... I don't know what the fuck is going on here".*
76. Mr Sultan in his evidence stated he did not recall telling police in May 2017 that he had gone to help Ms Hewitt look for a bottle of meth oil.

77. Ms Hewitt's evidence was that she did not know what happened to the bottle and that Mr Sultan must have taken it. Her evidence was to the effect that Mr Sultan took the bottle as soon as it was retrieved and that she did not see either the bottle or Mr Sultan after that. Ms Hewitt also said that there was no arrangement with Mr Sultan about what they would do with the contents of the bag.
78. Notwithstanding his evidence that he did not want anything to do with the bottle, Mr Sultan eventually agreed that at some time before 31 December 2016, he took the bottle which had been retrieved from Crater Lake Road to the residence of Brendan Daly and asked him to help him test the contents of the bottle to confirm whether or not it was meth oil. He initially stated that he did not conduct any tests on the contents of the bottle, however, later agreed that he had previously told police that he had conducted some tests and formed the view that it was not meth oil and unlikely to be worth anything.
79. Contrary to his earlier evidence, when queried about his arrangement with Ms Hewitt in relation to the bottle, Mr Sultan conceded that there was an arrangement between them and on his evidence, it was that Ms Hewitt was going to sell the meth oil and she would give him some money.
80. Mr Sultan stated that he left the bottle at Mr Daly's house and had no further knowledge or involvement in relation to what became of the bottle. This is consistent with evidence given by Mr Daly that after determining that it was not worth anything, Mr Sultan left the bottle which he then disposed of in a bin.
81. Witnesses at the inquest agreed that had the liquid in the bottle been meth oil, it would have had significant value.
82. It seems clear that at some stage prior to his disappearance, Mr Roe and Ms Hewitt hid a bag in the bush along Crater Lake Road near Batchelor. Whether or not Ms Hewitt knew what was in the bag is not clear from the evidence noting that the evidence of Ms Hewitt and Mr Sultan is at odds in that regard. Whilst Ms Hewitt maintained that she did not know what was in the bag and that it was Mr Sultan's idea to retrieve the bag in order to find out, Mr Sultan stated that Ms Hewitt told him about the bottle whilst they were at Sunrise, and she wanted to retrieve it. His evidence was that he was simply doing her a favour by going to Batchelor (and Mr Roe's residence) with her.
83. It can also be noted that Edward Cubillo gave evidence to the effect that Mr Roe had talked about having "the good oil" and having stashed something in the bush

whilst he was in prison at the same time as Mr Roe spent time with Mr Sultan. From that, it can at least be inferred that Mr Roe had spoken to people in prison about hiding something in the bush which he believed might have been meth oil.

84. I need not make any findings about whether or not the bottle did contain meth oil or some other substance however, it might be inferred that irrespective of whether Ms Hewitt or Mr Sultan positively knew that there was a bottle of (reported) meth oil in the hidden bag, both were of the view that there was a possibility that the bag contained something of value and that it was worth retrieving.
85. I am not satisfied that Mr Sultan was completely frank and forthright with police during the investigation, or when giving evidence in this court. However, there is no evidence that Mr Sultan knew about the bottle at the time of Mr Roe's disappearance and no evidence that he had any knowledge of or involvement in Mr Roe's disappearance.
86. Further, there is insufficient evidence to make any determination as to the bottle of purported meth oil and its significance (if any) to the disappearance of Mr Roe.

#### *Prior Assault*

87. In May 2015, Mr Roe presented to Royal Darwin Hospital with an open wound to his abdomen and several minor lacerations to his neck, arms, hands and legs. Mr Roe stated that he had fallen on a star picket however, he was accompanied by his (then) partner who told staff that Mr Roe had actually been struck with an axe.
88. The matter was reported to police however Mr Roe declined to provide information to assist their investigations. Notwithstanding, Rodney Kenyon was identified as a person of interest in relation to that incident.
89. In 2019, coronial investigators spoke to Rodney Kenyon who was by that time incarcerated for an unrelated murder. Mr Kenyon stated (and confirmed during his evidence at the inquest) that he had known Mr Roe for many years through various Darwin associations and that they had had several altercations over the years.
90. Mr Kenyon was asked about the 2015 incident with Mr Roe, and he acknowledged that there was an altercation, stating that after a fight Mr Roe had tried to hit him with a glass and he had stabbed him.



91. Mr Kenyon also told investigators that notwithstanding the various altercations with Mr Roe over the years, they had made peace and, in the period leading up to his disappearance, they spent time together.
92. Of note, Mr Kenyon was taken into custody on 13 June 2016 and was remanded at the time of Mr Roe's disappearance.
93. Having considered the statement made by Mr Kenyon to police and having heard his evidence during the inquest, I am of the view that there is no basis on which it might be concluded that Mr Kenyon was involved in Mr Roe's disappearance or that he has any useful information which might assist the investigation.

**(ii) *Misadventure***

94. The investigation produced evidence that Mr Roe's vehicle would regularly break down or run out of petrol and on occasion he would walk substantial distances. Other evidence indicates that Mr Roe was known to have a poor sense of direction, and it was not uncommon for him to get mixed up when driving around.
95. It was hypothesised that if Mr Roe did become disoriented, he might have simply wandered away from his vehicle and perished due to the conditions. In my view, that is a plausible explanation for his disappearance.
96. On 2 November 2016, Mr Roe's vehicle apparently broke down on Cadogan Road, Lake Bennett and he was seen in the vicinity carrying a blue and white esky.
97. Later that day, Mr Roe's vehicle was observed on the Stuart Highway by police officers McClean and Goonan who had attended at the Lake Bennett area to serve a summons. No-one was present at the vehicle at that time and the officers did not see any signs of disturbance. These officers provide the most reliable account of the timing of Mr Roe's movements, and I accept that in all likelihood, Mr Roe's vehicle was driven to the highway (where it was abandoned) before running out of fuel.
98. The vehicle was removed from the scene as an abandoned vehicle on 4 November 2016.
99. Following the lodgement of the missing person report and preliminary inquiries to ascertain Mr Roe's whereabouts, police conducted several substantial ground searches in the vicinity of where the vehicle was apparently abandoned.
100. The first search area identified was a square kilometre box around the location at which Mr Roe's vehicle was located, with additional searches (on foot and using

motorbikes and quadbikes) being conducted on subsequent days. The search areas were expanded over time however, nothing of evidentiary interest was identified. It was noted that it became increasingly difficult to search due to monsoonal rainfall in the areas which caused overgrown terrain, substantially reduced visibility and increased hazards. Searches were suspended on 20 December 2016 for safety reasons and resumed in March 2017.

101. The inquest heard evidence that searches were also conducted after a fire had gone through the area which increased visibility of the ground area however, raised the possibility that evidence was destroyed by the fire.
102. In total, police searched seven areas of interest on foot, using motor vehicles and drones. No evidence of Mr Roe's whereabouts, movements or other relevant evidence was identified.
103. The investigation was greatly assisted by the evidence of Dr Paul Luckin, an anaesthesiologist, and an expert in search and rescue and disaster management who provided an assessment and opinion as to Mr Roe's survivability in various scenarios.
104. In considering Mr Roe's survivability if he had left the vehicle on foot, Dr Luckin noted that there were several significant factors which would impact on survivability including that Mr Roe was a long-term drug user, his drug use had reportedly increased in the period immediately prior to his disappearance and his behaviour during that period was noted by those who knew him to be erratic, forgetful, disorganised and paranoid. Further, witnesses who saw or interacted with Mr Roe on the morning of 2 November 2016 described him as (apparently) aimlessly driving up and down the road and appearing vague and disoriented. Dr Luckin opined that those factors suggest that immediately before he was last seen Mr Roe was suffering the effects of his drug use, was paranoid, and that his behaviour would have been unpredictable and erratic.
105. There is no conclusive evidence available to indicate whether or not Mr Roe had water with him (either at the time of interacting with Lake Bennett residents or after) however there is some evidence that Mr Roe told Christopher Schembri when he spoke to him on Cadogan Road that he had been up on the hill getting water from a rainwater tank.
106. In providing opinion as to the likelihood of Mr Roe's surviving in a scenario which assumes that he wandered away from the vehicle on foot, Dr Luckin considered the

possibility that Mr Roe had carried water in the esky he was seen with however he stated that the physiological consequences of dehydration, including early loss of the sensation of thirst and mental impairment can result in a dehydrated person not consuming water, even when it is available. He also noted that sleep deprivation, and both long term and recent drug use, have an adverse effect on memory, reasoning, and ability to think clearly and logically. Mr Roe's actions would have been less planned and more unpredictable, with a likely failure to recognise his deteriorating condition and prospects of survival. Further, Mr Roe's chronic or recurrent paranoia meant that he would have been less likely to have actively sought help such as waving down a vehicle on the road if he needed it. These effects would all be compounded by progressive dehydration and increasing body core temperature, with the attendant decrease in cerebral function.

107. Dr Luckin opined that with a small esky full of water (if he consumed it), the limit of Mr Roe's survival would have been the middle of the day on 5 November 2016. Without water, the limit of survival would have been late on the afternoon or the evening of 4 November 2016. However, the effects of drug use, dehydration, increased body temperature and possibly prior sleep deprivation would all be compounded, negatively affecting the time Mr Roe is likely to have survived, and the distance from the vehicle that he is likely to have covered.
108. With reference to evidence of Mr Roe's prior behaviour and assuming that Mr Roe did in fact walk away from his car, Dr Luckin formed the view that it was most likely that Mr Roe had stayed on the corridors of the main roads and opined that if he perished, the most expected area in which that would have occurred was a maximum of 15 kilometres from his car in either direction along the highway, and within 5 kilometres from the highway.
109. The areas searched by police were extensive however, it can't be ruled out that Mr Roe wandered into an area beyond the search parameters.
110. In giving evidence at the coronial, it was the view of Detective Chatto that of the two hypotheses:

*Right now, in the absence of credible information or anyone coming forward with credible information about a homicide type scenario, I think it's quite credible that he's potentially wandered off (and perished).*

111. The police investigation remains open with a reward of \$250,000 being offered for information that leads to locating Mr Roe and a conviction for those responsible if death was by foul play. This sum of money, offered since 2019, in my view, is too low and should be substantially increased.

### **Is Mr Roe deceased?**

112. It is well settled that the standard of proof to be applied in coronial proceedings is the balance of probabilities and that in making any findings, I must be reasonably satisfied of those matters. A finding that a person is deceased is a very serious matter and requires that my satisfaction of that fact must be founded on clear and cogent evidence.

113. I am satisfied, based on the evidence I have heard that Mr Roe is deceased. I am persuaded to that view by the overwhelming circumstantial evidence including that:

- Mr Roe has not been seen since 2 November 2016 and it is evident that he has not been to his residence since that time.
- Mr Roe was very close with this family and maintained regular contact with them. The last time Mr Roe's family heard from him was 25 October 2016.
- Mr Roe's vehicle was abandoned.
- There is no evidence that Mr Roe had a desire to leave the Northern Territory or that he had contacts interstate (or overseas) such that he would voluntarily relocate. To the contrary, his only known means of transport was abandoned and there is evidence that he has not flown on an airline or left Australia.
- Mr Roe's only known bank account has not been accessed since 20 October 2016.
- Mr Roe has not accessed any services since before 1 November 2016 and there is no evidence that he had access to other financial resources. Whilst there is some evidence that Mr Roe gained income through drug supply, noting the evidence that he owed money for drugs and the pattern of borrowing small amounts of money from family and friends for basic items it is unlikely that he had financial resources available to him at the time of his disappearance.

## Cause of death

114. I am not able to determine the cause of death to the requisite standard.
115. Whilst two main hypotheses were identified and investigated in relation to what might have happened to Mr Roe, evidence of the circumstances of his disappearance are such that I cannot be comfortably satisfied of what actually occurred. It is not simply a matter of preferring one hypothesis over the other and there is insufficient evidence available to establish or rule out either of the two main hypotheses. In saying that I have considered the following matters:
- Whilst Mr Roe's involvement in illicit activities increased the risk of him being a victim of homicide, there is no evidence which links his activities or known associates to his disappearance to a reasonable standard.
  - Each of the persons of interest denied any knowledge of Mr Roe's whereabouts.
  - There has been no credible reports of what might have happened to Mr Roe notwithstanding a significant reward being offered for information.
  - In the period immediately prior to his disappearance, Mr Roe was using drugs heavily and was reported to be acting in an agitated, paranoid and erratic way.
  - There is evidence that he regularly drove long distances with little fuel in his vehicle and was known to walk long distances on occasions when his car ran out of fuel.
  - The weather and terrain conditions that existed at the time would have increased the likelihood of a person becoming dehydrated and developing hyperthermia should they set off on foot.
  - Mr Roe was a long-term user of illicit drugs, and evidence of his drug consumption increasing in the period leading up to his death. His behaviour indicated paranoia and agitation and he was described as being forgetful, disorganised, and paranoid. All of these factors increased the risk of dehydration resulting in progressive failure of normal physiological processes.
  - It is possible that Mr Roe perished in bushland and that his remains and other items of evidentiary value could not be located due to the conditions, the terrain or due to Mr Roe walking into an area that was not part of an identified search area.

116. Whilst there is circumstantial evidence on which it seems possible that Mr Roe died as a result of misadventure, the circumstantial evidence falls short of the clear and cogent evidence required for me to make such finding.

### **Time and place of death**

117. The last sighting of Mr Roe was by residents of the Lake Bennet area at various times on the morning of 2 November 2016 at which time it was apparent that he was having issues with his car and had taken some fuel from one of the residents. Mr Roe's car was then observed (apparently abandoned) on the afternoon of 2 November 2016.
118. Together with the fact that Mr Roe has not been in contact with his loving family and that he has not accessed any income or services, I find that it is likely that Mr Roe died between 2 and 5 November 2016.

### **Comment and recommendations**

119. I am aware that these findings will not provide Mr Roe's long-suffering family with the answers that they seek in relation to what happened to him, and are not likely to assist them in bringing the closure that they desire. It is my hope that the recommendation that follows will facilitate progress in finding Mr Roe.
120. With reference to s.34(2) of the *Coroners Act 1993*, I recommend the following assist with the administration of justice:

That the current cash sum of \$250,000 for information leading to evidence that leads to finding a missing person with the conviction of those responsible for their death, if caused by foul play, be increased to at least \$500,000. The payment of the cash sum be at the sole discretion of the Commissioner of Police

### **FORMAL FINDINGS**

121. Pursuant to section 34 of the *Coroners Act 1993* I find as follows:
- (i) The identity of Mr Roe was Richard Ken Roe, born 18 July 1976 in Darwin, Northern Territory.
  - (ii) The time of death was between 2 November 2016 and 5 November 2016 at an unknown location.
  - (iii) The cause of death is unknown.

- (iv) The particulars required to register the death:
- (a) Mr Roe was Richard Ken Roe.
  - (b) Mr Roe was of Aboriginal descent.
  - (c) Mr Roe was unemployed.
  - (d) The disappearance and suspected death of Mr Roe was reported to the Coroner by the police.
  - (e) The cause of death is unknown.
  - (f) Mr Roe's mother was Christine Margaret Roe (nee Morley) and his father was Colin Richard Roe.