



MAGISTRATES COURT *of* TASMANIA

CORONIAL DIVISION



Record of Investigation into Death (Without Inquest)

*Coroners Act 1995
Coroners Rules 2006
Rule 11*

I, Duncan Fairley, Coroner, having investigated the deaths of Michael William Dunk and Elishka Dawn Johnson

Find, pursuant to Section 28(1) of the *Coroners Act 1995*, that:

Michael William Dunk died between 8 and 10 April 2015 at 2813 Wilmot Road, Wilmot in Tasmania.

At the time of his death Mr Dunk was employed as a diesel mechanic and was in the process of separating from his long-time de facto partner, Elishka Dawn Johnson. He was born at Gosford, New South Wales on 11 July 1968 and was aged 46 years.

I find that Mr Dunk died as a result of being shot to the upper abdomen and head by Elishka Dawn Johnson – the circumstances of which are described in this finding. No other person contributed to the cause of death.

Elishka Dawn Johnson died between 8 and 10 April 2015 at 2813 Wilmot Road, Wilmot in Tasmania.

At the time of her death Ms Johnson was employed as a Kmart store-person and was in the process of separating from her long-time de facto partner, Michael William Dunk. She was born in Slough, England on 28 December 1973 and was aged 41 years.

I find that Ms Johnson died as a result of the combined effects of asphyxia due to automotive exhaust gasses and mixed drug sedation – the circumstances of which are described in this finding. I find that Ms Johnson acted with the express intention of ending her own life. No other person contributed to the cause of death.

Background:

Michael William Dunk was born on 11 July 1968 to Annette Katherine Dunk and Edgar William Dunk. He was raised along with his 2 brothers in Gosford, New South Wales before relocating to Queensland as a young man. Mr Dunk trained as a diesel mechanic and maintained an active interest in cars and motorcycles all of his life. As at April 2015 Mr Dunk was engaged by the Gowans Motor Group as a Master Diagnostic Technician.

Elishka Dawn Johnson was born in Slough in the County of Berkshire, south-east England on 28 December 1973. Ms Johnson was 1 of 4 children born to the union of Jacqueline and Stephen Johnson. During 1982 Ms Johnson's family chose to emigrate to Australia. After a number of years, during which the family returned to the United Kingdom, they eventually settled on the Sunshine Coast in Queensland. Ms Johnson's parents separated when she was a teenager. Apparently Ms Johnson had difficulty accepting the marital breakdown and harboured significant resentment towards her father for many years. At the time of her death Ms Johnson was employed in the stores department of the Devonport Kmart store.

Mr Dunk and Ms Johnson met in or about 2001 on the Gold Coast. The couple lived together for a number of years in and around the Gold Coast area before deciding to relocate to Tasmania. It appears the main catalyst for the move was Ms Johnson's belief that the cooler climate might provide some relief from her various medical conditions. A review of the medical records indicates that Ms Johnson suffered from chronic migraine headaches.

During mid-2005 Ms Johnson travelled to Tasmania in company with her mother and found the property situated at 2813 Wilmot Road, which she and Mr Dunk subsequently purchased. Jacqueline Johnson also decided to relocate to Tasmania and purchased a property on the North West Coast. Upon relocating Mr Dunk found work almost immediately as a diesel mechanic with the Gowans Motor Group in Devonport. Ms Johnson undertook various types of casual employment before securing a permanent position with the Devonport Kmart department store during 2008. Statements obtained from various co-workers indicate that Ms Johnson and Mr Dunk were both respected and well liked by their respective colleagues.

After moving to Tasmania Mr Dunk indulged his interest in motorcycles. During 2011 he became a member of the Black Uhlans Motorcycle Club, an outlaw motorcycle gang. Statements taken from Ms Johnson's friends and family indicate that she did not approve of Mr Dunk's membership of the Club. Further, that she begrudged the amount of time Mr Dunk spent at the clubrooms and associating with other members. Ms Johnson's medical records reveal that she sought assistance for significant depressive symptoms during August 2014, citing difficulties in her relationship and at work as the major contributing factors. The general practitioner prescribed an SNRI antidepressant with apparently positive results. Ms Johnson remained on the same medication regime until the date of her death.

Circumstances Surrounding the Deaths:

During mid-March 2015 Mr Dunk commenced a relationship with Rebecca Badcock. Documentation located in Ms Johnson's personal effects include a diary in which she recorded details of her daily affairs. An entry in Ms Johnson's diary of 25 March 2015 indicates that Mr Dunk had admitted to sleeping with another woman. A further entry 4 days later notes that Mr Dunk had collected his clothes and some personal belongings. The entry records that Ms Johnson considered she and Mr Dunk had separated. Subsequent entries in Ms Johnson's diary reveal that Mr Dunk had failed to disclose to her the extent of his relationship with Ms Badcock.

On or about 6 April 2015 Ms Johnson discovered a number of photographs and messages on a social media website which confirmed that Mr Dunk was engaged in a significant relationship with Ms Badcock. On the evening of 7 April 2015 Mr Dunk stayed at Ms Badcock's residence. At approximately 11am the following morning Mr Dunk sent Ms Badcock a text message which read "*Eli wants to talk to me about something 2nite. Will give you a yell when I get back to Dev...*". It is apparent that Ms Johnson arranged for Mr Dunk to attend the 2813 Wilmot Road property on the evening of 8 April 2015. Ms Johnson's diary includes an entry on that day which reads "*Mick due after work*". The diary entry for 12 April 2015, a reminder regarding a social softball game, has been crossed out.

On the afternoon of 8 April 2015 Ms Johnson concluded her shift at the Kmart store at 1.00pm. Her co-workers recalled that she seemed unwell during the day but not so that

it was particularly unusual. Most were aware that Ms Johnson suffered from migraine headaches. Ms Johnson was last seen at approximately 1:30pm when she stopped at the Formby Road Caltex service station in order to purchase fuel. Mr Dunk's final communication occurred at 5:11pm on 8 April 2015 when he sent a text message to Ms Badcock, finalising arrangements to meet up with her later that evening.

On 9 April 2015 a friend and fellow Black Uhlans member, Gavin Larkin, began making enquiries concerning Mr Dunk's whereabouts. Mr Larkin confirmed that other members of the club had not heard from Mr Dunk and that he had not attended for work without explanation – something which was entirely out of character for him. Mr Larkin knew of his friend's relationship difficulties and concluded that Mr Dunk was taking some time to conclude the separation with Ms Johnson. When Mr Dunk remained unable to be contacted the following day Mr Larkin, together with another member of the club, Larry Piggot, decided to attend the 2813 Wilmot Road property.

Mr Piggot and Mr Larkin arrived at the 2813 Wilmot Road property shortly after 2pm on 10 April 2015. The pair found the gates locked and therefore proceeded on foot. As they walked to the rear of the residence Mr Dunk's body was observed lying face down on the path immediately outside the back door. It was apparent from the extent of Mr Dunk's injuries that he was deceased. The pair then conducted a brief search of the property. Mr Larkin noted the sound of an engine idling in a nearby shed and upon looking through a hole in the cladding was able to see Ms Johnson's vehicle with a pipe running from the exhaust to the front passenger window. He observed the shape of a body slumped in the rear of the vehicle. Neither man attempted to enter the locked shed as they concluded the occupant of the vehicle was most likely deceased.

Investigation by Tasmania Police:

At 3:50pm on 10 April 2015 Senior Sergeant Darren Pendlebury was on-duty at the Latrobe police station when Mr Piggot and Mr Larkin attended to report what they had found at 2813 Wilmot Road. Sergeant Pendlebury immediately tasked other officers to attend the Wilmot residence. Upon arriving at the scene police located Mr Dunk in the same position observed by the civilian witnesses. Police then obtained entry to the shed and located Ms Johnson in the rear of the vehicle together with her dog. Ms Johnson's 2 cats were located in carrier boxes in the front of the vehicle. It was

apparent from the advanced state of rigor mortis that Ms Johnson had been deceased for some time. Subsequent forensic examinations identified a quantity of Mr Dunk's blood on one of Ms Johnson's boots.

Inspection of the vehicle revealed a black plastic pipe running from the exhaust, along the passenger side of the vehicle, and into the front side window. The pipe had been secured in place via a combination of grey electrical tape and towelling material. A significant amount of effort had been expended to ensure that no exhaust gasses would escape other than into the interior of the vehicle. When gaining entry to the vehicle police observed that the driver's door remained unlocked. A number of bricks were found pressing on the accelerator and brake pedals.

A search of the premises located a Boito Reuna 12 gauge shotgun lying on a piano lid immediately inside the back door to the residence. The firearm was found next to 2 spent 12 gauge cartridges. An empty cartridge box was located in the kitchen waste bin. The shotgun was 1 of 3 firearms registered to Ms Johnson. The remaining 2 firearms were located by police in a secured firearms safe within the dwelling. No finger prints other than those of Ms Johnson were located on the safe and the discarded cartridge box.

An autopsy was performed on both Mr Dunk and Ms Johnson by Dr Donald Ritchey (Forensic Pathologist) at the Royal Hobart Hospital on 13 April 2015. Dr Ritchey determined that the cause of Mr Dunk's death were gunshot wounds to the upper abdomen and head, the latter being associated with extensive trauma to the brain. Dr Ritchey commented that either or both of the wounds would have been fatal. In relation to the head wound a near contact range of fire was evidenced by gunpowder residue on the skin and within the wound track. In relation to Ms Johnson, Dr Ritchey was of the opinion that the cause of death was the combined effects of asphyxia due to automotive exhaust gasses and mixed drug sedation. Toxicological investigation of blood samples taken from Ms Johnson during the post-mortem examination revealed both oxamzepam, a benzodiazapine, and topiramate, an antiepileptic often used to control migraine headaches. Dr Ritchey did not observe any overt signs of trauma on the body of Ms Johnson. I accept Dr Ritchey's opinion in relation to the cause of death of both Mr Dunk and Ms Johnson.

I have also had regard to the extensive evidence gained during the subsequent investigations undertaken by Tasmania Police. I convey my appreciation to Detective Senior Constable Keygan for her detailed report. The police investigation focused on the possibility that either or both Mr Dunk and Ms Johnson might have died as a result of third party intervention. Having reviewed the evidence gained during the thorough investigation, including police and witness affidavits, medical reports and records, together with the forensic material collected and analysed, I am satisfied that no other person contributed to either death.

Conclusion:

I have determined that, in light of the findings set out above and in accordance with the *Coroners Act* 1995, I am not required to hold a public inquest into the deaths of Mr Dunk and Ms Johnson. I do not consider that the holding of a public inquest is likely to elicit any significant additional information to that already obtained during the police and coronial investigations. The circumstances of Mr Dunk and Ms Johnson's deaths are not such as to require me to make any comments or recommendations pursuant to section 28 of the *Coroners Act* 1995.

In conclusion I convey my sincere condolences to the family and loved ones of Mr Dunk and Ms Johnson.

Dated: 5 February 2018 at Launceston Coroners Court in the State of Tasmania.

Duncan Fairley
Coroner