



# MAGISTRATES COURT *of* TASMANIA

## CORONIAL DIVISION

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### **Record of Investigation into Death (Without Inquest)**

*Coroners Act 1995*  
*Coroners Rules 2006*  
Rule 11

I, Magistrate Simon Cooper, Coroner, having investigated the suspected death of Gilbert Arthur Midson

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

- a) The identity of the deceased is Gilbert Arthur Midson;
- b) I am unable to determine how Mr Midson died;
- c) I am unable to determine the cause of Mr Midson's death; and
- d) Mr Midson died on or after 4 November 1964 at or near Hobart, Tasmania.

#### **Why Mr Midson's disappearance is being investigated**

1. The *Coroners Act 1995* governs the investigation of deaths in Tasmania. Section 21(1) of the Act provides that "[a] coroner has jurisdiction to investigate a death if it appears to the coroner that the death is or may be a reportable death." 'Death' is defined in Section 3 of the Act as including a 'suspected death'.
2. 'Reportable death' is defined in the same section as including a death which occurred in Tasmania and was unexpected or the cause of which is unknown.
3. Thus if a coroner suspects (on reasonable grounds) that a person has died and the death meets the definition of a reportable death, then that coroner has the power to investigate that person's disappearance.
4. For reasons which will become apparent in this finding I am satisfied that it is appropriate to investigate the disappearance of Gilbert Arthur Midson because I am satisfied, on reasonable grounds, that he is dead and the cause of his death is unknown.
5. The fact of Mr Midson's disappearance and suspected death was not reported to the coroner until this year. I note that under the previous Tasmanian *Coroners Act*, no power

existed to investigate suspected deaths.<sup>1</sup> This changed with the advent of the current Act in 1997. Perhaps obviously, until a death (including suspected death) is reported, a coroner cannot investigate it. I do not consider that the investigation into Mr Midson's disappearance would have been any more fruitful if it had been reported when the *Coroners Act 1995* made the death 'reportable'.

### **Mr Midson's background**

6. The evidence is that Mr Midson was born in Hobart on 19 February 1941. He was the son of Thomas Gilbert and Mavis Edith Midson. Thomas Midson was, at the time of his son's birth, a serving member of the Australian Army, having enlisted on 22 April 1940. He was stationed in Tasmania.
7. After his father's death, Mrs Midson married Brian Arthur Green. Mr Midson was raised at the family home, 11 Turnip Fields Road, South Hobart. He had two siblings, Judith and Barry. Barry is still alive.
8. On 25 February 1961, aged 20, Mr Midson married Miss Fay Barker at All Saints Church, South Hobart. Together the couple had one child, a son, Tony, who was born in Hobart on 15 October 1963.
9. At the time of his disappearance Mr and Mrs Midson and Tony lived at 2/10 Burnside Avenue, New Town. Mr Midson was employed as a bus driver with the then Metropolitan Transport Trust (MTT).
10. There is no evidence that he was anything other than a healthy and happy person. There is no evidence of Mr Midson suffering from financial or other woes. He was not involved in any criminal activity. Mr and Mrs Midson's marriage was reportedly a happy one. There is no clue in his past as to why he would simply disappear.

### **Circumstances of his disappearance**

11. On 4 November 1964, Mr Midson left home and went to the MTT bus depot in Hobart. The evidence is that he completed his shift at about 3.00pm. There is no evidence of him being seen alive after that time. Contemporary investigative reports suggest that he left his cash tin, wallet and other personal items in his work locker.

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<sup>1</sup> See *Coroners Act 1957*, Section 7 which required an actual body to be located before a coroner could investigate.

12. Mrs Midson reported her husband missing to Tasmania Police the following day. Unfortunately, the relevant records of Tasmania Police were destroyed, for reasons not clear, in 2004. Doing the best I can from what is left, it seems that by the standards of the day, a reasonably comprehensive investigation into Mr Midson's disappearance took place. Those enquiries have continued, on and off, since 1964.
13. There is no evidence of Mr Midson leaving Hobart, let alone Tasmania.

#### **Why I am satisfied Mr Midson is dead**

14. Although Mr Midson's body was never found, there is ample evidence to conclude he is dead. First is the fact that, after his disappearance, Mr Midson has never been seen or heard from again.
15. Second, enquiries have been conducted with:
- Tasmania Prison Service;
  - The Electoral Commission;
  - State and territory transport departments;
  - The Australian Passport Office;
  - The Australian Taxation Office;
  - Department of Health and Human Services (both housing and mental health);
  - Aurora;
  - Registrar of Births, Deaths and Marriages;
  - The most commonly used financial institutions in Australia (including ANZ, Commonwealth, Westpac, and NAB);
  - All state and territory police jurisdiction information holdings;
  - Metro Tasmania;
  - Australian Border Force;
  - Australian Defence Force;
  - Centrelink; and
  - Medicare.
16. No trace of Mr Midson being alive was found as a result of those enquiries. There is no record of Mr Midson being imprisoned, voting, having a passport, paying tax, having a bank account, coming to the attention of the police, leaving or returning to the country, receiving Social Security or a health benefit at any time since his disappearance.

17. No member of Mr Midson's family, or anyone else, has seen or heard from him since 4 November 1964. I am therefore satisfied on the balance of probabilities that Mr Midson is dead. Were he still alive then it is, to my mind, inconceivable that some trace of him would not have been found.

### **Recent enquiries**

18. Information was received during the course of the Coronial investigation that, possibly, Mr Midson had been the victim of foul play and his body disposed of in a waterhole at the property on Turnip Fields Road where he had grown up. Accordingly, at my direction, the location of the waterhole was identified, excavated and searched by Tasmania Police personnel, including specialist forensic officers. The search proved fruitless in the sense that nothing was located which assisted in determining what became of Mr Midson.
19. DNA samples were provided by Mr Midson's brother and son for future comparison in the event any remains are located at any time in the future which may belong to Mr Midson. Those samples have been forwarded to the laboratory of Forensic Science Service Tasmania in the missing person database.
20. In February 2021, details of Mr Midson's disappearance were added to the Australian Federal Police Missing Persons website. To date, that listing has not elicited any additional information to assist in determining what became of him.
21. Anecdotal evidence suggested that another MTT bus driver disappeared either on the same day or close to the day Mr Midson disappeared. A review of the Tasmania Police Missing Persons Register reveals this is not in fact the case.

### **Conclusion**

22. In all the circumstances, I am satisfied to the requisite legal standard that Mr Midson is dead and has been since on or about 4 November 1964. It seems logical to conclude that he died at a place at or near Hobart, Tasmania.
23. However, I am unable to make any further findings. In particular, I am unable to reach a concluded view as to the cause and more specific circumstances of his death. Mr Midson

24. may have taken his own life, been the victim of homicide, died of natural causes or as the result of misadventure, but the evidence simply does not enable me to determine with any degree of certainty why and how he died. Nonetheless, I cannot rule out that Mr Midson was the victim of foul play.
25. I extend my particular appreciation to the owner of the property at 11 Turnip Fields Road, Ms Sylvia Outridge, for her cooperation with recent enquiries.
26. I commend Sergeant John Delpero of Tasmania Police's Missing Person Unit for his comprehensive reinvestigation of the circumstances surrounding Mr Midson's disappearance.
27. I convey my sincere condolences to the family and loved ones of Gilbert Arthur Midson.

**Dated** 2021 at Hobart in the State of Tasmania.

**Simon Cooper**  
**Coroner**