

For The Monthly June 2012.

Four Coroners for Azaria.

Coroner Elizabeth Morris re-opened the Azaria Chamberlain Inquest in February last, thirty-one years after the babe disappeared from a tent at Ayers Rock, thirty-two years after her mother's conviction for her murder. Security officers roped off the footpath of the Darwin Courthouse for crowd control, but the small group who arrived was media.

That morning's NT News front cover carried a half-page photo of Lindy Chamberlain-Creighton with the headline, 'She's Back.' Its editorial carried a concession that a new Finding would likely exonerate the Chamberlain parents, resentful of it in anticipation, as 'unlikely to satisfy those Territorians who have followed the case closely over the past 30 years.'

Those Territorians should have difficulty maintaining their scepticism. In no other case in our legal history have the eye-witnesses joined travelling roadshows of lectures in protest against a conviction, a juror come out against her own verdict, a Trial Judge so appalled by the verdict in his Court that he campaigned for the abolition of the jury system, and a Senior Prosecutor come to refer to his success as his Albatross.

This predicament Coroner Morris is asked to set right, the fourth Coroner to deal with Azaria's death.

She has deliberated now for three months. 10 am June 12th in the Darwin Magistrate's Court, the Chamberlain party wait in the front row, Lindy's present husband Rick with his arm around her, Michael Chamberlain alongside, son Aiden and his wife in the same row. Lindy and Rick wear matching purple. Malcolm Brown, stalwart of the Fairfax Press, has paid his own way to be here. The last of the media file in to take up the second and third rows. With a few sightseers this is a full house.

Lawyers Stuart Tipple and Rex Wild QC chat quietly at the Bar Table. Level with the Bar Table, at Stage Right, stands a cameraman with tripod and Sony, panning the scene from side to side. Coroner Morris has invited ABCTV Darwin to broadcast her Finding direct to all the nation.

This makes its echo of the first Coroner's inquest, when Denis Barritt was so unsettled by the unquenchable rumours of satanic ritual, and by death threats against Azaria's parents, that he invited a television crew to deliver his own Finding direct to the nation. At his Inquest Michael Chamberlain was still a Pastor of the Adventist Church, and the butt of first rumours of a ritual sacrifice. Barritt, ex-policeman, not a personality to rush to judgement, rather deliberating with a heavy step, but with sturdy ethics, made his Finding: Azaria had died by dingo attack. He apologised to the family for the rumour-mongering and death threats. He criticised the Parks officers for allowing a dangerous scenario to build.

Barritt also suspected 'human intervention' in the disposal of the body. In the evidence he had read a reference to the babe's clothing found folded and jammed into a rock crevice. The suggestion was false, the invention of a detective interviewing the Chamberlains hoping to shock them into some admission, so was not evidence but an artefact of tactics. It was to hang around in the cloisters of rumour for decades.

Today the gods are kind. This morning, as we wait for Coroner Morris, several of the media hold copies of the latest Sunday Territorian which headlines 'Dingoes Attack Camp Site,' detailing the terror of the family Hooper who were attacked on Friday night by a pack and fled to a cabin. So apposite is this to the ordeal of the Chamberlains that this page will figure as a backdrop in many of the reports filed from Darwin to the Southern States.

The Court Crier announced the Coroner. She entered, greying, black jacket, she bowed, bade us sit. The camera held on her, its broadcast live to ABCTV24 and to whichever others claim it, and every channel in the nation has. In those far audiences are the supporters of the Chamberlains, importantly the eye-witnesses, campers at the barbecue with the Chamberlains when the babe was taken, and in Adelaide the family of Chief Ranger from 1980 Derek Roff, all of them in hope of another exoneration of the Chamberlains.

Elizabeth Morris dealt briefly with the facts of the known happening, which she is required to find only to a level of likelihood expressed as the “balance of probabilities.” Instead, she used this sentence, “I am satisfied, to beyond the required standard, of the following matters.” “Beyond,” was her first surprise.

Now she recounts the cry, the disappearance, the shock, the chase, precisely as the Chamberlains and the eye-witnesses had recounted it in evidence years ago. Any qualification, uncertainty, is absent. The evidence of the witnesses has become her confident finding of fact. This is her second surprise.

“It is appropriate to adopt the finding of primary fact of the Commission.” Here she is referring to the Morling Commission which exonerated the Chamberlains in 1987. This precisely marks her departure from the approach of Third Coroner John Lowndes in 1995. Lowndes could not bring himself to follow the Morling Commission conclusion that the Chamberlains are innocent. His refusal to follow it illustrates the power of public hostility. When it reaches so persuasively beyond the common pub-talk and football club arenas, into the exercise of judicial authority, we are watching a contagious urge of some persistence.

Quickly to the crux, “I am satisfied the evidence is sufficiently adequate, clear, cogent and exact, and that the evidence *excludes all other reasonable possibilities* (emphasis hers) to find that what occurred on 17th August 1980 was that, shortly after Mrs Chamberlain placed Azaria in the tent, a dingo or dingoes entered the tent, took Azaria, and carried and dragged her from the immediate area.”

Michael Chamberlain is deeply in tears now, Aiden also. I cannot see Lindy's face but Rick is holding her tightly.

"Azaria was not seen again." Ah, so 'human intervention' is finally gone.

To choose a proper category for her Coronial Certificate, she finds traditional British alternatives wanting. "In the Australian context this list is evolving, for reasons involving the different circumstances of death as compared to England." So she is about to expand the acceptable Causes of Death in this country. Again Azaria provides new law.

Gerry Galvin, the Coroner who committed Azaria's mother to trial, her father as Accessory, also knew a Coroner's procedures are not constrained by law, and refused the Chamberlains any protection as persons suspected, so exercising against them the wide power of a Court established by the Magna Charta.

"The Cause of Death was as the result of being attacked and taken by a dingo." Her voice is halting, clearly she had trouble making it all the way through, but now she folds away her notes and takes up another.

Facing ahead directly, she addresses the Chamberlains. "I am so sorry for your loss, time does not remove the pain and sadness over the death of a child." The rhythm of her words is broken. At this rate she'll have us all in tears. Michael cannot control his sobbing, nor Aiden. Elizabeth Morris stands now, we all do, abruptly she turns from the bench, gone without the usual bowing, leaving us all in a few seconds surprised silence, until applause makes its rowdy appearance, normally forbidden, but the attendants are affected too, and become busy doing something else.

The family rushes into each other's arms, tearful, grateful, joyous, Lindy summons me, "And you can give me a hug." Then Michael, "Now the boy embraces the man." No chance of dry eyes here, no chance.

The Azaria story began as a witch-hunt and, as I leave to watch the Chamberlains face a media scrum outside, I wonder if it should not end with a witch-hunt. Who is to blame for the persecution of this tragic family, the person I think of as The Tactician? Local hostility here to this family will slowly die out. Those folk who are 'born the Territory, live the Territory, die the

'Territory' are the blackfellas; for whites the label 'Territorian' is a temporary boast.

For the Chamberlains, let the story end as it began, with a cry in the dark.

John Bryson.
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