The Australian
Women's Register

Entry type: Person
Entry ID: AWE4851

Doogan, Maria Krystyna

Occupation Barrister, Coroner, Lawyer, Magistrate, Solicitor

Summary

Born in Germany in 1947 to Polish parents who had been forced by the Nazis into farm labour in Germany during World War 2, Maria Doogan came to Australia with her parents in 1950 under the International Refugee Organisation’s Displaced Persons scheme. In 1998 she became the first person to be appointed to the ACT Magistracy from a non-English speaking background. Maria Doogan is best known by Canberrans for her role as Coroner in the controversial Coronial Inquiry into the catastrophic 2003 Canberra bushfires.

Details

Maria Doogan was born Miroslawa Krystyna Kowal on 27 October 1947 in a Displaced Persons Camp in Frille, near Minden, Germany. Her parents, Stefan Kowal (1923-1997) and Wiktoria Kucharska (1915-1973), had been forcibly removed from Poland to Germany during World War 2 to work as farm labourers. They met and married in Germany and at the end of the war, they became part of the Displaced Persons scheme established by the International Refugee Organisation (IRO) for people who were unable or unwilling to return to home countries occupied by the USSR army. In 1947 the Australian Commonwealth entered into an agreement with the IRO for the resettlement of European Displaced Persons in Australia. Maria Doogan and her parents were three of the 182,000 people who came to Australia under the scheme that was later known as the DP Group Resettlement (or 'Mass Resettlement'). (60,000 Poles migrated to Australia; 320,000 European migrants moved through Bonegilla, the largest of the camps; 2 million migrants arrived in Australia between 1945 and 1965, 182,000 of these were sponsored by the IRO.)

Doogan and her parents travelled to Australia with "a big metal chest with all their possessions" on 'Flying Tiger' Aus/169 Syd 9, a former American warplane (*Sydney Morning Herald*, 30 March 2012). They departed from Bremen, Germany on 1 November 1950 and flew via Cairo, Ceylon, Darwin and Sydney, arriving in Melbourne on 6 November 1950. Along with many other European migrants of the time, Doogan's first place of residence in Australia was the largest of the migrant camps – Bonegilla Migrant Hostel in Victoria. Doogan and her mother were later moved to Cowra NSW, to a migrant camp that had been a Japanese prisoner of war camp during World War 2. Her father was sent to Sydney to work for the then NSW Water Board (now Sydney Water) as a plumber and drainlayer doing hard physical work digging ditches for sewerage pipes. Her mother picked vegetables for Edgell on Cowra farms.

Doogan's first brother, Edward, died in Germany. Her younger brother, George, was born in Cowra. When Doogan and her mother and brother George were eventually reunited with her father in Sydney, they settled in Sydney's western suburbs where Doogan was educated by the Sisters of Charity at Sacred Heart, Cabramatta and then Saint Mary's, Liverpool before completing her Leaving Certificate at Bethlehem College, Ashfield. While Doogan's father continued his work as a plumber, her mother sewed paper cement sacks in a Sydenham factory. Doogan vividly recalls her mother leaving home on freezing cold early mornings to walk to the station and catch a train to work.

A champion athlete at school, there was talk of Doogan as an Olympic sprint hopeful but she pursued a career instead, winning a Commonwealth Scholarship to Sydney University where she studied arts for one year before taking a job with the Australian Taxation Office (ATO). In 1970 Doogan moved to Canberra where she worked for the ATO (1970-1971), the then Department of Trade (1971-1977) and the then Department of Industry, Technology and Commerce (1977-1988).

On 22 May 1974 in Canberra, Maria Kowal married Christopher Doogan, a lawyer who rose to become the High Court of Australia's first Chief Executive and Principal Registrar. They have three children and three grandchildren.

Encouraged by her husband, in 1985 Doogan fulfilled a long-held desire and began studying for a law degree. She did this externally through Macquarie University, while continuing to work with the Department of Industry, Technology and Commerce, graduating with a Bachelor of Legal Studies in 1988. Doogan later reflected on this time, "Now that I look back, it was incredibly tough juggling work, children and a big study load and sometimes I felt like quitting." (*Sirius*, 2003) She often found herself working on assignments after midnight when her children were asleep (*Sirius*, 2003).

After graduation, in 1989 Doogan joined the then Commonwealth Office of the Director of Public Prosecutions. She rose to become a senior prosecutor and chose to transfer to the ACT Office of the Director of Public Prosecutions when it was created a few years after self-government was introduced into the Territory. She worked on high-profile cases including the initial investigation and trial of ANU law student Anu Singh for the alleged murder of her boyfriend, 26-year-old engineer Joe Cinque, and the trial of Frank Del Castillo for the 1991 alleged murder of his former wife's lover, Christopher Wilder.

Doogan is a Barrister and Solicitor of the High Court of Australia, a Barrister and Solicitor of the Supreme Court of the ACT, Solicitor of the Supreme Court of New South Wales and a Member of the Bar Association of the ACT. She completed the Legal Workshop at the Australian National University (ANU) and the Mediation Workshop at Harvard University, Boston, USA.

In 1998 Doogan was appointed Magistrate and Coroner to the Australian Capital Territory Magistrates Court. As Magistrate she handled general criminal cases, civil cases, workers' compensation, children's cases, mental health, guardianship, domestic violence protection orders and restraining orders.

In addition to being Magistrate and Coroner, Doogan held judicial positions on several tribunals including the Mental Health Tribunal, Guardianship Tribunal, Discrimination Tribunal and the Health Professionals Tribunal.

By dint of being on duty when the disastrous Canberra bushfires of 8-18 January 2003 erupted, Doogan was the Coroner presiding over the inquest into the resulting loss of life and property. As Coroner, her job was to find out and report on what had happened and make recommendations (*Sirius*, 2003). Doogan's role was particularly significant because of the scale of the loss and destruction. Four people died – Dorothy McGrath, Alison Mary Tener, Douglas John Fraser and Peter Brabazon Brooke. 435 people were injured, 487 homes destroyed, 23 commercial and government premises destroyed, 215 homes, commercial premises, government buildings and outbuildings damaged, the Australian National University's Mt Stromlo observatory – an internationally renowned institution – was destroyed, an inestimable number of animals were killed or injured; almost 70% of the ACT (157,170 hectares) was burnt. Resulting financial losses were estimated to be close to $1

billion (Doogan, *The Canberra Firestorm*, 2006).

The inquest was dogged by controversy and delayed for almost a year when the ACT Government tried to force Doogan's removal on the grounds of apprehended bias, alleging, among other things, that she favoured certain expert witnesses who were critical of the government. The Canberra public mobilised in support of Doogan, organising a "Save Maria Doogan" rally on the steps of the ACT Supreme Court in February 2005 where placards such as "let Maria fan the flames of honesty" were displayed. The full Supreme Court bench backed Doogan and she remained as Coroner on the inquiry (Rudra, *Canberra Times*, 30 March 2012).

After 103 days of evidence had been heard involving 95 witnesses, 28 legal counsel, 40,762 documents totalling 88,470 pages, 20,000 audio files, 1,081 maps and over 10,000 pages of real-time transcripts, the inquiry ended on 26 July 2006 and Doogan delivered her findings on 19 December 2006. The report – *The Canberra Firestorm: inquests and inquiry into four deaths and four fires between 8 and 18 January 2003* – was publicised internationally, as far away as Russia and on the Al Jazeera network.

On the first pages of the two-volume document, Doogan's letter to the ACT Attorney General sets the scene for the damning report:

it is a miracle that no more than four people died …On the evidence before the inquiry, I conclude that the failure to warn the community – despite senior personnel of the Emergency Services Bureau having knowledge that the fires would burn into the suburbs – was a factor that exacerbated the property losses and resulted in panic and confusion throughout the affected suburbs on the day of the firestorm (Doogan, *The Canberra Firestorm*, 2006, Vol. 1, covering letter to ACT Attorney General).

Further into the document she reports that while it was perhaps impossible to say whether the catastrophe could have been prevented, it could "be said that the firestorm's severity and impact could have been mitigated". (Doogan, *The Canberra Firestorm*, 2006, Vol. 1, Ch 1, p. 3) Doogan rejected inquiry submissions that the fires could not have been foreseen, citing Australia's recorded history of fire events dating back to at least 1851 and CSIRO fire expert Mr Phil Cheney's prediction, based on seven inquiries since 1986 into aspects of the ACT emergency services, of a conflagration of the type experienced in January 2003. (Doogan, *The Canberra Firestorm*, Vol. 1, Ch 1, p. 3) She emphasised the importance of learning from the catastrophe and expressed the hope that her findings and recommendations would be acted on and "not relegated to the archives to gather dust – as has occurred with the reports of several of the previous inquiries." (Doogan, *The Canberra Firestorm*, Vol. 1, Ch 1, p. 4)

While damning the inaction of some, Doogan praised the efforts and bravery of many, commenting that evidence:

revealed that those in authority could, and should, have done many things to reduce the extent of disaster and loss. The evidence revealed highly commendable efforts – and, indeed, bravery – on the part of volunteer, rural and urban firefighters, parks and forestry staff, the rural landholders, the police, ambulance personnel, the many people who came from interstate to help and, not least, the large number of people in the ACT community who came together to help one another in the face of a terrible event. (Doogan, *The Canberra Firestorm*, Vol. 1, Ch 1, p. 4)

In a Canberra Times article published on the announcement of her retirement in March 2012, Doogan provides insight into her perception of the significance of the coroner's role for the community and demonstrates the compassion and clarity she brought to the Coronial Inquiry:

Investigations into coronial matters are very important – it's the last act that the community can do for somebody, to determine how they died. It's an overused word, closure, but the families really look for closure from coronials (Rudra, *Canberra Times*, 30 March 2012)

Maria Doogan resigned from the magistracy in March 2012. She lives in Canberra.

Published resources

Newspaper Article
Hard won rise from humble start, Doherty, Megan, 2007

Down time for straight-talking magistrate, Rudra, Natasha, 2012,
http://www.canberratimes.com.au/act-news/toughtalking-magistrate-retires-20120330-1w364.html

Report
The Canberra firestorm: inquests and inquiry into four deaths and four fires between 8 and 18 January 2006, Doogan, Maria, 2006,
http://www.courts.act.gov.au/resources/attachments/The_Canberra_Firestorm_%28VOL_II%29.pdf

Book Section
Doogan, Maria Krystyna, 2012

Resource Section
Defence lawyer concedes Coroner used 'emotive' language, 2007,
http://www.abc.net.au/news/2007-12-05/defence-lawyer-concedes-coroner-used-emotive/978542

God Bless Coroner Maria Doogan,
http://www.sosnews.org/newsfront/?p=130

Magazine article
Maria Doogan, 2003,
http://www.mq.edu.au/pubstatic/public/download.jsp?id=52693

Site Exhibition
From Lady Denman to Katy Gallagher: A Century of Women's Contributions to Canberra, Australian Women's Archives Project, 2013,
http://www.womenaustralia.info/exhib/ldkg

Australian Women Lawyers as Active Citizens, Trailblazing Women Lawyers Project Team, 2016,
http://www.womenaustralia.info/lawyers

Resource
Trove, National Library of Australia, 2009

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